

1101. DOGS AND CATS

1101.010. DEFINITIONS. As used in this chapter, except as otherwise provided, the following terms shall have the respective meanings ascribed to them:

Animal-Assisted Activities: Animal-Assisted Activities (AAA) are the casual “meet and greet” activities that involve a Delta Society credentialed pet therapy animal and that provide opportunities for motivational, educational, recreational, and/or therapeutic benefits to enhance quality of life at care-giving facilities, including but not limited to, nursing homes, congregate dining centers, long-term care centers, etc.

Animal-Assisted Therapy: Animal-Assisted Therapy (AAT) is a goal-directed intervention in which a Delta Society credentialed pet therapy animal is an integral part of the treatment process designed to promote improvement in human physical, social, emotional, and/or cognitive functioning at care-giving facilities, including but not limited to, hospitals, veterans facilities, rehabilitation centers, etc.

Animal Shelter: Any premises designated by action of the City for the purposes of impounding and caring for animals found in violation of this chapter.

At Large: Not under restraint as defined in this section.

Barking Dogs: Any dog that barks, bays, cries, howls or makes any other noise continuously and/or incessantly for a period of ten (10) minutes or barks intermittently for thirty (30) minutes or more at any time either day or night.

Cat: Any domesticated feline animal, male or female, whole or neutered.

Dangerous Dog: Any dog that has committed any of the acts set forth below:

- (1) Without provocation, inflicted substantial bodily 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.

Dog: Any canine animal, male or female, whole or neutered.

Dog Enclosure: Any enclosure constructed for providing covered shelter for dogs and which meet the requirements found in Section 1101.110. Dog Enclosure shall include the common

term “dog house”. Dog enclosures meeting the requirements of this section shall not be considered Accessory Structures for the purposes of the application of zoning regulations.

Great Bodily Harm: Bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

Own: Unless otherwise specified, shall be deemed to mean keep, harbor, or have control, charge, or custody of an animal for a period of three (3) days or longer. This term shall not apply to animals owned by others which are temporarily maintained on the premises of a veterinarian.

Owner: Any person owning, or having charge or control of any animal or permitting any dog or cat to habitually be or remain on or be lodged or fed within such person’s house, yard, or premises for a period of three (3) days or longer. This term shall not apply to veterinarians temporarily maintaining on their premises animals owned by others.

Potentially Dangerous Dog: Any dog that has committed any of the acts set forth below:

- (1) When unprovoked, inflicts bites on a human or domestic animal on public or private property.
- (2) When unprovoked, chases or approaches a person upon the streets, sidewalks or any public 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.

Provocation: An act that an adult could reasonably expect may cause a dog to attack or bite.

Restraint: Controlled by a leash of not longer than eight (8) feet, or within a vehicle being driven or parked on the streets, or within the property limits of its owner. An unattended dog or other unattended animal on the property of another, without the consent of such property owner, is “at large” and not “under restraint”, even though it is on a leash.

Secure Enclosure: “Secure 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 secure 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.

Service Animal: Any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual,

or other mental disability.

Stray: Any unlicensed dog, or any other domestic animal, the owner of which is unknown, and which is at large within the City.

Substantial Bodily Harm: 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.

Vicious Dog: Any dog which has caused great bodily harm or disfigurement to any person, or has bitten one or more persons on two or more occasions.

1101.020. ENFORCEMENT. The provisions of this chapter shall be enforced throughout the City of Little Canada by any peace officer or other individual duly authorized by the City Council.

1101.030. RIGHT OF ENTRY. For the purposes of discharging the duties imposed by this chapter and to enforce its provisions, any peace officer is empowered to enter upon any premises upon which a dog, cat or other animal is kept and to demand the exhibition of such animal by the owner of such animal and the license and rabies certificate for such animal. Any peace officer or other individual duly authorized by the City Council may enter the premises where any animal is kept in a reportedly cruel or inhumane manner and demand to examine such animal and to take possession of such animal when, in such officer's opinion, it requires humane treatment.

1101.040. EXEMPTIONS

- (A) Hospitals, clinics, and other premises operated by licensed veterinarians for the care and treatment of animals are exempt from the provisions of this chapter, except where such duties are expressly stated.
- (B) The licensing and vaccination requirements of this chapter, except as otherwise expressly stated, shall not apply to any dog or cat belonging to a non-resident of the City and kept within the City for not longer than thirty (30) days, provided all such dogs and cats shall at all times while in the City be kept within a building, enclosure or vehicle, or be under restraint by the owner.
- (C) Dogs confined to a veterinarian clinic, animal hospital, or dogs engaged in law enforcement work for the city need not be licensed.
- (D) The definitions of "dangerous dog", "potentially dangerous dog", and "vicious dog" in 1101.010 shall not apply to a dog under the control of or on duty with a law enforcement officer or to an attack by a dog upon an uninvited intruder who

has entered any structure with criminal intent.

1101.050. LICENSE AND REGISTRATION REQUIRED.

- (A) All dogs over three (3) months of age kept, harbored or maintained within the City shall be licensed and registered. Dog licenses shall be issued by the City upon payment of a license fee as established by City Council resolution and such license shall be valid for two (2) years. The applicant shall give the following information on forms provided by the City: owner's name and address, name, breed 1101-4 (if known), color, and sex of the dog. The applicant shall also present proof of vaccination to the City prior to issuance or renewal of a license.

The provisions of this Section shall not be intended to apply to dogs whose owners are visitors temporarily in the City for sixty (60) days or less, or to dogs brought into the City for appearance in a dog show.

- (1) **License Application Review.** The City shall review the license application. The City may deny an applicant's license application for any reason reasonably related to the regulation of animals within city limits, including but not limited to, protecting the health, safety, and welfare of the public. Convictions for violations of City Code § 1101.010 *et seq.* or any applicable state statutes within the preceding three years shall be considered evidence of a threat to the health, safety, and welfare of the public. The City may revoke licenses previously issued upon the same grounds. If a license is denied or revoked, the City shall notify the applicant, in writing, and provide information regarding the applicant's right to appeal under paragraph 2 of this section.
- (2) **Appeal.** An applicant may appeal the City's determination by filing written notice with the City Administrator within ten (10) days of the applicant's receipt of the City's notice. Failure to file a timely appeal results in a waiver of the appeal. If the applicant files a timely appeal, a hearing will be held before an impartial hearing officer as soon as practicable after the City's receipt of the appeal. The rules of evidence do not apply at the hearing and any reports and records of the Ramsey County Animal Control officer shall be considered without further foundation. The hearing officer will make written findings of fact. The hearing officer's decision will be personally served upon the owner or a person of suitable age at the residence of such owner and is the final decision of the City.

- (B) All service animals kept, harbored or maintained within the City shall be registered. There shall be no fee for service animal registration. The applicant

shall give the following information on forms provided by the City: verify that the animal is required because of a disability and identify what work or task the animal has been trained to perform. If this information is not provided, the animal shall not be considered a service animal and is subject to the license and registration requirements of § 1101.050(A). The registrant shall also give the following information on forms provided by the City: owner's name and address, name, breed (if known), color, sex of the dog, and proof of vaccination. Service animals are not considered animals for the calculation under § 1101.055.

(C) **Provisional License.** A provisional dog license may be issued to an applicant under the following circumstances:

- (1) If an applicant's dog license is denied by the City under Paragraph A of this section; or
- (2) If an applicant who has been issued a dog license has two (2) convictions within two (2) years for violations of City Code § 1101.010 *et seq.* or Minn. Stat. § 347 *et seq.*

(a) **Provisional License Requirements.** An applicant who has been granted a provisional license must comply with the following requirements:

- (i.) **Secure Enclosure.** A secure enclosure must exist for the dog.
- (ii.) **Registration Fee.** The applicant must pay a registration fee that is double the amount for the standard dog license fee.
- (iii.) **Notice to Landlord.** An applicant who rents property from another where the dog will reside must disclose to the property owner, prior to entering into the lease agreement and at the time of any lease renewal, that the applicant owns a dog with a provisional license.
- (iv.) **Photograph.** The applicant must provide the City with a photograph of the provisionally licensed dog.

The applicant must provide proof of compliance with these requirements to the City within thirty (30) days of being issued a provisional license. If after two (2) years the applicant is still in compliance with these requirements and does not have any convictions for violations of City Code § 1101.010 *et seq.* or Minn. Stat. § 347 *et seq.*, the applicant may reapply for a standard dog license with the City.

- (b) **Seizure of Provisionally Licensed Dog.** The Animal Control Authority shall immediately seize any provisionally licensed dog if:
- (i.) The owner fails to provide the City with proof of compliance with the provisional license requirements listed in the previous section.
- (ii.) The owner is convicted for a violation of City Code § 1101.010 *et seq.* or Minn. Stat. § 347 *et seq.* while the dog is provisionally licensed.
- (c) **Reclaiming of Provisionally Licensed Dog.** A provisionally licensed dog may be reclaimed by the owner of the dog if the owner provides the City with proof of compliance with the provisional license requirements listed in the previous section within seven (7) days after seizure. A provisionally licensed dog not reclaimed under this provision within seven (7) days after seizure may be disposed of and the owner shall be liable to the Animal Control Authority for costs incurred in the confining and disposing of the provisionally licensed dog. Any person claiming an interest in a seized dog may prevent disposition of the dog by posting security, by cash or letter of credit, in an amount sufficient to provide for the dog's actual cost of care and keeping. The security must be posted within seven (7) days of seizure.

1101.055. NUMBER OF ANIMALS ALLOWED. No person or entity shall own, possess, walk, keep, harbor, or have control of more than three (3) animals over three (3) months of age in the City of Little Canada. the total number of animals per dwelling unit shall not exceed three (3), except for pet therapy animals as noted below:

The total number of animals per dwelling unit can be four (4) in the event that all four (4) animals are Delta Society credentialed pet therapy animals. The owner must at time of application for and/or renewal of a Pet Therapy License:

- Obtain an annual Pet Therapy License from the City in addition to obtaining a Dog License;
- Submit appropriate credentialing documentation from Delta Society that the animal is a part of a Registered Pet Partners Team;
- Submit a copy of the Delta Society certificate of insurance which covers the pet partners Handler Team;
- Maintain a log for each animal of Animal-Assisted Activities (AAA) and Animal-Assisted Therapy (AAT) visits by date and location. The log must reflect a minimum number of 50 visits per animal per year. Log must be verified by

signature, as well as the contact phone number of an official from the organization where AAA and/or AAT visits occurred. This log is required to be submitted to the City at the time of application for and/or renewal of pet Therapy License.

- Submit appropriate documentation that each animal has Canine Good citizen Certification, or the equivalent, from an accredited animal obedience school.

Pet therapy animals will be allowed to retire from service and remain in the home provided that the pet has served a minimum of five (5) years of continuous AAA and AAT service or have a qualified medical retirement verified by a veterinarian. Under no circumstances, however, will more than four (4) animals be allowed in a dwelling unit.

1101.057. ANIMAL KENNELS AND ANIMAL DAY CARE.

- (A) The keeping of animals in numbers greater than those allowed by Section 1101.055 shall constitute an animal kennel or animal daycare, a business use. Such use shall only be allowed in the City pursuant to the regulations of the Little Canada Zoning Ordinance, in those zoning districts specifically allowing such use, and subject to the processing and regulations of the zoning district.
- (B) All such kennels and/or daycare facilities shall require a license, and shall comply with all regulations of Section 1101, including vaccinations, except that animals held within such kennel or daycare need not be separately licensed by the City of Little Canada.
- (C) The City's Animal Control Officer, and other City personnel designated by the City Administrator, shall be authorized to make inspections of the premises of the kennel and/or daycare, and to enforce reasonable requirements for health, safety, and welfare of the public and the animals being kept on the premises.
- (D) Conditions on the premises which are found to violate zoning regulations, or which result in revocation of any required permit, or which constitute a nuisance or threat to public or animal health, safety, or welfare shall be cause for revocation of an existing license, or refusal to issue or reissue any license application.

1101.060. DOG TAGS. Upon payment of the license fee the Administrator shall issue to the owner a license certificate and a metallic tag which shall have stamped thereon the number corresponding with the number on the license certificate and the name and address of the owner. Every owner shall be responsible for the tag being worn by the dog at all times. In the event a tag becomes lost, destroyed, or rendered illegible for any reason, a duplicate shall be applied for immediately and will be issued by the Administrator upon presentation by the owner of the license certificate and payment of a fee as outlined in the City's Fee Schedule. Dog tags shall not be transferable from one dog to another and all licenses shall automatically expire upon the death of the dog.

1101.070. VACCINATION. It shall be unlawful for any dog or cat owner to keep or maintain such dog or cat unless it shall have been vaccinated with anti-rabies vaccine by a licensed veterinarian. No license or renewal of license provided for herein shall be issued except upon compliance with this Section.

1101.080. RESTRAINT OR CONFINEMENT. All dogs shall be kept under restraint by their owners. This Section shall not apply to dogs on their owner's residential property.

1101.090. CONFINEMENT OF CERTAIN DOGS AND OTHER ANIMALS.

- (A) Every female dog or cat in heat shall be kept confined to the owner's property or any veterinary hospital, in such manner that such female dog or cat cannot come into contact with another animal, except for intentional breeding purposes.

1101.100. GUARD DOG WARNING SIGNS. Businesses located within the City limits and maintaining a guard dog for security purposes shall post notice, at the entrance to the premises, warning of the presence of said dog.

1101.110. DOG ENCLOSURES.

- (A) Purpose: It is the purpose of this Section to abate existing nuisances and to prevent nuisances created by site, odor, noise, and sanitation due to construction and placement of dog enclosures on private property.
- (B) Screening: Dog enclosures must be screened from view of adjacent property.
- (C) Placement: A dog enclosure shall not be placed closer than ten (10) feet to any lot line, except no dog enclosure shall be placed in a front yard, and in no event shall a dog enclosure be placed closer than fifty (50) feet of any dwelling unit other than one on the owner's property.
- (D) Sanitation requirements: No person shall permit feces, urine, or food scraps to remain in an enclosure for a period that is longer than reasonable and consistent with health and sanitation and the prevention of odors.
- (E) Applicability of Section: This Section shall be applicable to all dog enclosures constructed after the effective date of the Ordinance from which this Section is derived. Any pre-existing dog enclosure which is a nuisance or source of filth may be required to comply with this Section by notice of compliance being given by the City Administrator. Failure to comply with such a notice within thirty (30) days of issuance shall be a violation of this Code.
- (F) Size and other requirements:

- (1) No property may have more than one (1) Dog Enclosure.
- (2) Do Enclosures shall be no larger than necessary to permit a dog to comfortably enter, turn around, and lie down, and in no case greater than fifteen (15) square feet in area and four (4) feet in height. Any structure which exceeds either area or height dimension shall be considered an Accessory Structure under the Zoning Ordinance and be subject to all requirements applicable to such structures.

1101.120. IMPOUNDMENT – ANIMALS AT LARGE; PROCEDURE.

- (A) Animals found running at large shall be seized by any peace officer or other individual duly authorized by the City of Little Canada and impounded in a shelter designated as the animal shelter, and there confined in a humane manner for a period of not less than five (5) days, and may thereafter be disposed of in a humane manner if not claimed by their owners. Animals not claimed before the expiration of the five (5) days by their owners may be disposed of in accordance with State law, except as hereinafter provided.
- (B) The title of all animals seized and held at the animal shelter may be transferred to the Humane Society after the legal detention period has expired and the animals have not been claimed by their owners.
- (C) When animals are found running at large, and their ownership is known to the peace officer or other individual duly authorized by the City of Little Canada, such animals need not be impounded, but the animal control officer may, at such officer's discretion, issue complaints to the owners of such animals to appear in court.
- (D) Immediately upon impounding animals, every possible effort shall be made to notify the owners of such animals and inform such owners of the conditions whereby they may regain custody of such animals.

1101.030. REDEMPTION.

- (A) The owner shall be entitled to possession of any impounded dog, except as hereinafter provided, upon compliance with the license and vaccination provisions of this chapter and the payment of impoundment fees set forth herein.
- (B) Any other animal impounded under the provisions of this chapter may be reclaimed by the owner upon the payment of impoundment fees, compliance with the vaccination requirements, if any, set forth in this chapter.
- (C) When in the judgment of a licensed veterinarian and peace officer or other

individual duly authorized by the City Council, an animal should be destroyed for humane reasons, such animal may not be redeemed.

- (D) Any animal impounded under the provisions of this article and not reclaimed by its owner within five (5) days, may be placed in the custody of some person deemed to be a responsible and suitable owner, who will agree to comply with the provisions of this chapter and such other regulations as shall be fixed by the City.

1101.140. IMPOUNDMENT FEES. Any animal impounded hereunder may be reclaimed by a person proving ownership of such dog by a sworn statement in writing within five (5) days after such seizure and impoundment. Before the owner shall be permitted to resume possession of such dog, he shall pay to the City Administrator, or to such agenda as the City Council may designate, all fees and costs of seizure and impoundment.

1101.150. BARKING DOGS. It shall be unlawful for any person to own, keep, or harbor any dog which is considered a barking dog. A dog shall not be deemed a barking dog if, at the time the dog is barking or making any other noise, a person is trespassing or threatening to trespass upon the private property upon which the dog is situated or when the dog is teased or provoked.

1101.160. RABIES CONTROL.

- (A) The Minnesota Health Laws and Regulations are hereby adopted in cases of rabid animals which have bitten any person or animals suspected of being rabid.
- (B) It shall be the duty of every physician to report to the City the names and addresses of persons treated for bites inflicted by animals together with other information helpful in rabies control.
- (C) It shall be the duty of every licenses veterinarian to report to the City his diagnosis of any animal observed by him as a rabies suspect.

1101.170. DANGEROUS/POTENTIALLY DANGEROUS DOGS. The provisions of Minnesota Statutes, Sections 347.50 through 347.56, inclusive, are hereby adopted as the potentially dangerous and dangerous dog regulations for the City. Where a conflict exists between the provisions of the City Ordinances, and the provisions of Minnesota Statutes, Sections 347.50 through 347.56, inclusive, the more restrictive provision shall apply.

- (A) Initial Determination. The City's designated Animal Control Authority shall be responsible for initially determine ("Initial Determination") whether a dog is a potentially dangerous dog or a dangerous dog. The Animal Control Authority may retain custody of a dog which has been initially determined to be a dangerous dog pending the hearing as hereinafter provided. The Initial Determination shall

be conclusive unless the owner appeals the Initial Determination as hereinafter provided.

- (B) Notice of Initial Determination. The Notice of Initial Determination shall be personally served on the owner of the dog or on a person of suitable age at the residence of such owner. The Notice of Initial shall describe the dog deemed to be potentially dangerous or dangerous; shall identify the time, place, and circumstances under which the dog was declared dangerous; shall identify the officer making the Initial Determination; and shall inform the owner of the owner's right to appeal the Initial Determination within 14 days of the date of notice. The notice shall also inform the owner that compliance with (F)(1) and (F)(3) of this ordinance until the appeal is decided, and that all actual costs of care, keeping and disposition of the dog are the responsibility of the owner.
- (C) Request of Hearing and Hearing. An owner may appeal the Initial Determination by filing a Request for Hearing with the City Administrator within fourteen (14) days of the owner's receipt of the Notice of Initial Determination. A hearing shall be held within fourteen (14) days after the City's receipt of the Request for Hearing. The City Administrator shall assign a Hearing Officer who shall not be the person who made the Initial Determination. At the hearing, the Hearing officer shall consider the reports and comments of the Animal Control Authority, the testimony of any witnesses, witness statements, and the comments of the owner of the dog. After considering all of the evidence submitted, the hearing Officer shall make written findings and shall determine whether the dog is a potentially dangerous dog or a dangerous dog (Final Determination). The Hearing officer shall apply the criteria in 1101.010 in making a determination, but shall not declare a dog dangerous if the evidence at hearing shows it is more likely than not that the threat, injury, or damage was sustained by a person:
 - (1) who was committing, at the time, a willful trespass or other tort upon the premises occupied by the dog;
 - (2) who was provoking, tormenting, abusing, or assaulting the dog or who has repeatedly, in the past, provoked, tormented, abused, or assaulted the dog;
or
 - (3) who was committing or attempting to commit a crime.

The findings shall be made within ten (10) days of the date of the hearing and shall be personally served upon the owner of the dog or upon a person of suitable age at the residence of the owner. If the Hearing Officer upholds the dangerous dog determination, the dog's owner shall be responsible for paying the actual costs of the hearing, up to \$1,000.

- (D) Dangerous Dog Restrictions.

- (1) Registration Required. No person may keep a dangerous dog in the City of Little Canada unless the dog is registered with the Animal Control Authority as provided in this chapter. The Animal Control Authority shall issue a certificate of registration to the owner of the dangerous dog if the owner presents the following information:
 - (a) Secure Enclosure. A secure enclosure exists for the dangerous dog and there is a posting on the premises with a clearly visible warning sign, including a warning symbol, to inform children that there is a dangerous dog on the property.
 - (b) Bond/Insurance. A surety bond issued by a surety company authorized to conduct business in the State of Minnesota in a form acceptable to the Animal Control Authority in the sum of at least \$300,000, payable to any person injured by the dangerous dog, or a policy of liability insurance issued by an insurance company authorized to conduct business in the State of Minnesota in the amount of at least \$300,000, insuring the owner for any personal injuries inflicted by the dangerous dog.
 - (c) Registration Fee. The owner shall pay a dangerous dog registration fee of \$500, in addition to standard dog licensing fees.
 - (d) Microchip. The owner has had a microchip identification implanted in the dangerous dog, and the name of the microchip manufacturer and identification number of the microchip must be provided to the Animal Control Authority. If the microchip is not implanted by the owner, it may be implanted by the Animal Control Authority with the costs borne by the dog's owner.
 - (e) Warning Symbol. The owner has posted a warning symbol to inform children that there is a dangerous dog on the property. The design of the warning symbol must have been approved by the Minnesota Commissioner of Public Safety.
- (2) Tag. The dangerous dog must have a standardized, easily identifiable tag identifying the dog as dangerous and containing the Uniform Dangerous Dog symbol, affixed to the dog's collar at all times.
- (3) Photograph. The owner of the dangerous dog shall make the dog available to be photographed for identification by the Animal Control Authority at a time and place specified by the animal Control Authority.

(E) Dangerous Dog Regulations.

- (1) Muzzling. A dangerous dog shall be kept in a secure enclosure while on the owner's property. If the dangerous dog is outside a Secure Enclosure, the dog must be muzzled and restrained by substantial chain or leash and be under the physical restraints of a responsible person. The muzzle must be made in a manner that will prevent the dog from biting any person or animal that will not cause injury to the dog or interfere with its vision or respiration.
- (2) Annual Renewal. The owner of a dangerous dog must renew the registration of the dog annually until the dog is deceased. The owner of a dangerous dog shall pay the fee set forth in section (d) (1) (c) above, in addition to any regular dog licensing fees, to obtain a renewal certificate of registration for a dangerous dog under this section. If the dog is removed from the City, it must be registered as a dangerous dog in its new jurisdiction.
- (3) Death/Transfer from City. The owner of any dangerous dog must notify the City in writing of the death of the dog, of its transfer to a residence outside of the City of Little Canada, or of its transfer within the City within thirty (30) days of the death or transfer.
- (4) Notice to Landlord. The owner of a dangerous dog who rents property from another where the dog will reside must disclose to the property owner, prior to entering into the lease agreement and at the time of any lease renewal, that the person owns a dangerous dog that will reside at the property.
- (5) Transfer of Ownership. The owner of a dangerous dog must notify any new owner, whether by purchase, donation, or other transfer that the City has identified the dog as a dangerous dog. The transferring or selling owner must also notify the Animal Control Authority in writing of the sale and provide the Animal Control Authority with the new owner's name, address, and telephone number.
- (6) Sterilization. The Animal Control Authority shall require a dangerous dog to be sterilized at the owner's expense. If the owner does not have the dangerous dog sterilized within 30 days of a final determination, the Animal Control Authority may have the animal sterilized at the owner's expense.

(F) Potentially Dangerous Dog Restrictions.

- (1) Registration Required. No person may keep a potentially dangerous dog in the City of Little Canada unless the dog is registered with the Animal Control Authority as provided in this section. The Animal Control Authority shall issue a Certificate of Registration to the owner of a potentially dangerous dog if the owner presents the following information:
 - (a) Microchip. The owner has had a microchip identification implanted in the dangerous dog, and the name of the microchip manufacturer and identification number of the microchip must be provided to the Animal Control Authority. If the microchip is not implanted by the owner, it may be implanted by the Animal Control Authority with the costs borne by the dog's owner.
 - (b) Warning Symbol. The owner has posted a warning symbol to inform children that there is a potentially dangerous dog on the property. The Animal Control Authority shall approve the warning symbol and its location on the property.
 - (c) Registration Fee. The owner shall pay a potentially dangerous dog registration fee of \$250, in addition to standard dog licensing fees.

- (2) The Animal Control Authority may also require any of the following items to register a potentially dangerous dog:
 - (a) Secure Enclosure. A secure enclosure exists for the potentially dangerous dog and there is a posting on the premises with a clearly visible warning sign, including a warning symbol to inform children that there is a potentially dangerous dog on the property.
 - (b) Bond/Insurance. A surety bond issued by a surety company authorized to conduct business in the State of Minnesota in a form acceptable to the Animal Control Authority in the sum of at least \$300,000, payable to any person injured by the potentially dangerous dog, or a policy of liability insurance issued by an insurance company authorized to conduct business in the State of Minnesota in the amount of at least \$300,000, incurring the owner for any personal injuries inflicted by the potentially dangerous dog.
 - (c) Photograph. The owner of the potentially dangerous dog shall make the dog available to be photographed for identification by the Animal Control Authority at a time and place specified by the Animal Control Authority.

(G) Potentially Dangerous Dog Regulations.

- (1) Annual Fee. The owner of a potentially dangerous dog shall pay the potentially dangerous dog fee set in F(1)(c) upon each annual renewal, in addition to any regular dog licensing fees, to obtain a certificate of registration for a potentially dangerous dog under this section.
- (2) Annual Review. The owner of a potentially dangerous dog must renew the registration of the dog annually until the dog is deceased. If the dog is removed from the City of Little Canada, it must be registered as a potentially dangerous dog in its new jurisdiction.
- (3) Death/Transfer from City. The owner of any potentially dangerous dog must notify the Animal Control Authority in writing of the death of the dog, of its transfer to a residence outside the City of Little Canada or of its transfer within the City of Little Canada within thirty (30) days of the death or transfer. The notice must also provide the new location where the dog will reside if moved.
- (4) Notice to Landlord. The owner of a potentially dangerous dog who rents property from another where the dog will reside must disclose to the property owner, prior to entering into the lease agreement and at the time of any lease renewal, that the person owns a potentially dangerous dog that will reside at the property.
- (5) Transfer of Ownership. The owner of a potentially dangerous dog must notify any new owner, whether by purchase, donation or other transfer, that the City has identified the dog as a potentially dangerous dog. The transferring or selling owner must also notify the Animal Control Authority in writing of the sale and provide the Animal Control Authority with the new owner's name, address, and telephone number.

- (H) Designation Review. Beginning six (6) months after a dog is declared a dangerous dog or potentially dangerous dog, an owner may request annually a review of the designation. The owner must provide evidence that the dog's behavior has changed due to the dog's age, neutering, environment, completion of obedience training that includes modification of aggressive behavior, or other factors. The owner shall submit a request for reconsideration to the City Administrator, who shall then assign a Hearing Officer to consider the request, in consultation with the Animal Control Authority. If the Hearing Officer finds sufficient evidence that the dog's behavior has change, the Officer may rescind the dangerous dog or potentially dangerous dog designation.

- (I) Seizure of Dangerous/Potentially Dangerous Dog. The Animal Control Authority shall immediately seize any dangerous/potentially dangerous dog if:
- (1) The owner has not registered the dog in compliance with the provisions of Section D or Section F within fourteen (14) days after the service of the Notice of Final Determination declaring a dog to be a dangerous/potentially dangerous dog.
 - (2) The owner does not secure the proper liability insurance pursuant to Section D or Section F within fourteen (14) days after the service of the Notice of Final Determination declaring a dog to be a dangerous/potentially dangerous dog.
 - (3) The dangerous/potentially dangerous dog is not maintained in a secure enclosure.
 - (4) The dangerous dog is outside a secure enclosure and not under the physical restraint of a responsible person.
 - (5) The dangerous dog is not sterilized within thirty (30) days as required by (E)(6). 1101-15.
 - (6) Seizure is ordered by the District Court upon conviction of the owner for a crime related to the keeping of a dangerous/potentially dangerous dog.
- (J) Reclaiming a Dangerous/Potentially Dangerous Dog. Unless otherwise ordered by the District Court, a dangerous/potentially dangerous dog may be reclaimed by the owner of the dog upon payment of the impounding and boarding fees, and upon presentation of proof to the Animal Control Authority that the requirements of Sections D and E or Sections F and G, whichever is applicable, have been satisfied. A dangerous/potentially dangerous dog not reclaimed under this provision within seven (7) days may be disposed of as provided in Minnesota Statutes and the owner shall be liable to the Animal Control Authority for costs incurred in confining and disposing of the dangerous/potentially dangerous dog. Any person claiming an interest in a seized dog may prevent disposition of the dog by posting security, by cash or letter of credit, in an amount sufficient to provide for the dog's actual cost of care and keeping. The security must be posted within seven (7) days of the seizure inclusive of the date of seizure.
- (K) Review of Status for Persons Prohibited from owning Dogs. A person barred from owning a dog under Minnesota Statutes 347.542, subd. 1 may request that the City Council review the prohibition. No request for review may be made before three years have passed from the date of conviction which caused the person to be barred from dog ownership. The Animal Control Authority shall

report to the city Council on matters relating to the review, including but not limited to the seriousness of the violation or violations that led to the prohibition, any criminal convictions of the person under review, and any other appropriate factors. The Animal Control Authority may recommend continuing the prohibition, rescinding the prohibition with limitations upon ownership, or completely rescinding the prohibition. The City Council, in addition to acting on the recommendation, may also establish conditions that the person must meet before prohibition is partially or completely rescinded, including, but not limited to, successfully completing dog training or dog handling courses. A person under prohibition may only make one (1) request for review in any twelve-month period, regardless of outcome. If a person has a prohibition rescinded, in full or in part, by the City Council, and subsequently fails to comply with any limitation imposed by the Council or is again convicted of an animal violation involving unprovoked bites or attacks, the City Council may permanently prohibit the person from owning a dog in the State of Minnesota.

- (L) Confiscation of Dangerous Dog. If the owner of a dangerous dog has been convicted of a misdemeanor violation of Minnesota Statutes 347.51, 347.515, or 347.52, and the owner is charged with a subsequent violation of those statutes with the same dog, the Animal Control Authority shall immediately seize the dangerous dog and hold it until resolution of the new criminal charges. The Animal Control Authority shall follow the directives of the District Court regarding disposition of the dog. If the owner is not convicted of the charges, the owner shall be notified of the right to reclaim the dog within seven (7) days consistent with other reclamations.
- (M) Destruction of Dog Under Certain Circumstances. Upon a Final Determination, following a hearing if one is requested, and notwithstanding the other provisions of this Ordinance, a dangerous dog that: (i) inflicted substantial bodily harm or great bodily harm on a human being on public or private property without provocation; (ii) inflicted multiple bites on a human on public or private property without provocation; (iii) bit multiple human victims on public or private property in the same attack without provocation; or (iv) bit a human on public or private property without provocation in an attack where more than one dog participated in the attack may be destroyed in a proper and humane manner by the Animal Control Authority.

1101.180. QUARANTINE OF ANIMAL WHICH HAS BITTEN A PERSON AND DISTRIBUTION OF RABID ANIMALS

- (A) Any dog or cat that has bitten a person and caused an abrasion or puncture of the skin shall immediately be quarantined for a minimum of ten (10) days. Such an animal may be confined by the owner or other responsible person as required by

the Animal Control Authority, if the dog or cat has a current rabies certification. If such animal does not have a current rabies certification, the animal shall be quarantined in an animal control facility obtained by the Animal Control Authority. When the Dog or animal is quarantined as stated above, it shall be at the owner's expense. A quarantine report must be completed by the Animal Control Authority or a licensed veterinarian which must, at the end of the quarantine period, detail the disposition of the dog. Stray animals that have bitten a person shall be quarantined through the Animal Control Authority.

- (B) No law enforcement officer or other persons shall kill, or cause to be killed, any domestic animal suspected of being rabid, except after the domestic animal has been placed in a quarantine and visibility of the clinical signs of rabies are made by a qualified veterinarian.

1101.190. CLEANING UP LITTER

- (A) The owner of any dog or cat or any person having the custody or control of any dog or cat shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner.
- (B) it is unlawful for any person owning, keeping, or harboring a dog or cat to cause or permit said dog to be on property, public or private, not owned or possessed by such person without having in his/her immediate possession a device for the removal of feces and depository for the transmission of excrement to a proper receptacle located on the property owned or possessed by such person.
- (C) it is unlawful for any person in control of, causing or permitting any dog or cat to be on any property, public or private, not owned or possessed by such person to fail to remove feces left by such dog to a proper receptacle located on property owned or possessed by such person.
- (D) The provisions of this Section shall not apply to the ownership or use of seeing eye dogs by blind persons, dogs when used in police activities by the City, or tracking dogs when used by or with the permission of the City.

1101.200. PENALTY FOR VIOLATION OF THIS CHAPTER. Any person in violation of any of the provisions of this chapter shall be guilty of a misdemeanor. Each day on which such violation continues shall constitute a separate offense. No action taken by any officer under the authority of this Ordinance shall preclude the City from exercising any authority available under State law, including criminal prosecution of any person under Minnesota Statutes 347.55, or other related State law, and holding convicted persons subject to the penalties set forth in those statutes.

(Source: Ord. 46, Amended: Ord. 154, 231, 267, 289, 301, 375, 422, 513, 582, 665, 676, 701, 735, 772, 786)