



COLUMBIA HEIGHTS POLICE DEPARTMENT POLICY MANUAL

TITLE: POTENTIALLY DANGEROUS AND DANGEROUS DOGS	GENERAL ORDER NUMBER: 610
REFERENCES: M.S. §§ 347.50, 347.51	EFFECTIVE DATE: 06/01/2016
REVIEW DATE: 01/01/2019	DISTRIBUTION: A

The purpose of this General Order is to establish procedures for handling dangerous and potentially dangerous dogs.

610:1 Definitions

Dangerous Dog

"Dangerous dog" means any dog that:

- Without provocation, has inflicted substantial bodily harm on a human being on public or private property;
 - Without provocation, has killed a domestic animal while off the owner's property;
 - Has been found to be potentially dangerous; and after the owner has received notice that the dog is potentially dangerous, the dog aggressively bites, attacks, or endangers the safety of humans or domestic animals; or
 - Has been determined to be a dangerous dog by the City of Columbia Heights or any other governmental jurisdiction.
- Without provocation, chases or approaches a person, including a person on a bicycle, upon the streets, sidewalks, or any public or private property, other than the dog owner's property, in an apparent attitude of attack;
 - Has a known propensity, tendency, or disposition to attack without provocation, causing injury or otherwise threatening the safety of humans or domestic animals; or
 - Has been determined to be a potentially dangerous dog by the City of Columbia Heights or any other governmental jurisdiction.

Potentially Dangerous Dog

"Potentially dangerous dog" means any dog that:

- Without provocation, inflicts bites on a human or domestic animal on public or private property;

610:2 Seizure of Potentially Dangerous or Dangerous Dogs

610:21 Immediate Seizure

Any Columbia Heights community service officer or police officer may immediately seize any potentially dangerous or dangerous dog if:

- Within 14 days after the owner has received notice that the dog is potentially dangerous or dangerous, the dog is not registered as required under

MN State Statute, section 347; Regulation of Dangerous Dogs.

- In the case of a dangerous dog, within fourteen (14) days after the owner has notice that the dog is dangerous, the owner does not secure the proper liability insurance or surety coverage as required under MN State Statute, section 347; Regulation of Dangerous Dogs.

- Current practice is requiring owners of potentially dangerous dogs to also secure insurance in the amount of \$300,000.
- The dog is not maintained in the proper enclosure;
- The owner has not provided proof a microchip has been implanted;
- The owner has failed to have the dog sterilized (Dangerous Dogs only).
- The dog is outside the proper enclosure and not under physical restraint of responsible person; or
- After the owner has been notified that the dog is potentially dangerous or dangerous, the dog bites or attacks a person or domestic animal.

610:22 Safety

The primary concern is always for the safety of all officers and citizens in the area of the reported dog.

The responding officer shall determine the safest technique for containing the dog. If the tools available to the officer will not be sufficient to safely contain the animal, assistance from a neighboring agency should be considered.

610:23 Reclaiming Seized Dogs

A potentially dangerous or dangerous dog that is seized may be reclaimed by the owner of the dog upon payment of impounding and boarding fees, and presenting proof that the requirements of proper registration in an enclosure will be met. A dog not reclaimed

within seven (7) days of seizure may be disposed of as provided in M.S § 35.71, subdivision 3. The owner is liable to the City of Columbia Heights for costs incurred in confining and disposing of the dog.

610:24 Exemptions

Dogs may not be declared potentially dangerous or dangerous if the threat, injury, or damage was sustained by a person that was:

- Committing a willful trespass or other tort upon the premises occupied by the owner of the dog;
- Provoking, tormenting, abusing, or assaulting the dog or who can be shown to have, in the past, repeatedly provoked, tormented, abused, or assaulted the dog; or
- Committing or attempting to commit a crime.

610:25 Declaration

Once the dog is contained, the facts shall be reviewed by the animal control officer to determine whether the dog is dangerous or potentially dangerous.

610:3 Owner Notification

610:31 Notice to Owner

If the animal control officer determines after an investigation that a dog is dangerous or potentially dangerous, the animal control officer shall serve a notice of intent on the owner of the dog to declare the dog dangerous or potentially dangerous.

610:312

Such notice shall inform the owner of this designation, the basis for the designation, the procedures for contesting the designation, and the result of the failure to contest the designation.

610:313

▪ Upon receipt of notice of intent, the dog owner must comply with the requirements of MN Statute 347 MN State Statute, section 347; Regulation of Dangerous Dogs and continue to comply with such requirements until the dog is dead or removed from the City of Columbia Heights, or the City has determined that the dog is not dangerous or potentially dangerous. The owner shall be informed of this requirement in the notice of intent.

610:4 Requirements

610:41 Registration

Dangerous dogs must be registered by the Columbia Heights Police Department.

610:42 Certificate of Registration

The Chief of Police will issue a certificate of registration to the owner of a potentially dangerous or dangerous dog if the owner presents sufficient evidence that requirements mandated in MN State Statutes section 347, Regulation of Dangerous Dogs, are met.

610:5 Tracking of Dangerous and Potentially Dangerous Dogs

Tracking of dangerous and potentially dangerous dogs shall be entered and tracked through the Police Department records management system. Furthermore, dangerous and potentially dangerous dogs shall be mapped through the City's Geographical Information Systems.

BY ORDER OF:

Scott Nadeau, Chief of Police

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