

**CITY OF SAINT ANTHONY VILLAGE
ORDINANCE 2025-04**

**AN ORDINANCE AMENDING SECTION 91 OF THE SAINT ANTHONY VILLAGE
CITY CODE REGULATING THE KEEPING AND LICENSING OF DANGEROUS
DOGS**

***THE CITY COUNCIL OF THE CITY OF SAINT ANTHONY VILLAGE HEREBY
ORDAINS:***

Section 1. **Section §91.32 is hereby deleted in its entirety, and amended to read as follows:**

91.32 DANGEROUS OR DISEASED ANIMALS.

(A) Incorporation by Reference. Minnesota Statutes § 347.50 through 347.565 are hereby incorporated by reference and adopted as part of this chapter. Incorporation of said statutes shall not be a release by the city of any powers or authority which it has without such incorporation.

(B) Designation. Police officers or others designated by the City Manager may declare a dog to be a *dangerous dog* or a *potentially dangerous dog* as defined by M.S. § 347.50. If a dog is declared a dangerous dog or a potentially dangerous dog, a notice shall be delivered or mailed to the owner, informing the owner of the designation, the basis for the designation, the procedures for appealing the designation as set forth in Section 91.40, and the result of a failure to contest the designation as set forth in Section 91.38. No person may own a dangerous dog in the City unless the dog is registered and licensed with the City as such.

(C) Requirements for Licensing a Dangerous Dog - The City Manager, or designee, will, upon application by the Owner, issue a certificate of registration to the Owner of a dangerous Dog if the Owner presents evidence that:

- (1) A proper enclosure exists for the dangerous animal;
- (2) A warning sign provided by the City, to inform children that there is a dangerous dog on the property, has been placed on the animal Owner's property. The warning symbol must be the uniform symbol provided by the commissioner of public safety. The City may charge the registrant a reasonable fee to cover its administrative costs and the cost of the warning symbol.
- (3) the Owner has procured a surety bond issued by a surety company authorized to do business in Minnesota, in a form acceptable to the City in at least the sum of \$300,000 payable to any person injured by the animal or, alternatively, the Owner has in place a policy of insurance providing the same protection.
- (4) the Owner of a dangerous animal must have had an identification microchip implanted in the dangerous animal, and the City has been provided with 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. In either case, all costs related to purchase and implantation of the microchip must be borne by the dog's owner.

(D) Dangerous Dog designation review - Beginning six months after an animal is declared dangerous; an Owner may request annually that the animal control authority

review the designation. The Owner must provide evidence that the animal's behavior has changed due to the animal's age, neutering, environment, completion of obedience training that includes modification of aggressive behavior, or other factors. If the animal control authority finds sufficient evidence that the animal's behavior has changed, the authority may amend the dangerous dog designation to potentially dangerous dog.

(E) Regulation of Dangerous Dogs – So long as the Dangerous Dog assignment is in effect upon the animal;

(1) An Owner of a dangerous animal shall keep the animal, while on the Owner's property, in a proper enclosure. If the dangerous animal is outside the proper enclosure, the animal must be muzzled and restrained by a substantial chain or leash, which may not exceed six feet in length. The chain or leash must be under the control of an individual 18 years of age or older.

(2) An Owner of a dangerous animal must renew the registration of the animal annually until it is deceased. Renewal of registration must include proof of up-to-date rabies vaccinations.

(3) An Owner of a dangerous animal must notify the City in writing of the animal's death or its transfer to a new location within 30 days of death or transfer, and must execute an affidavit of death or transfer as requested by the City.

(4) An Owner of a dangerous animal must have the animal sterilized at the Owner's expense. The Owner must provide proof of sterilization of the animal to the City. If the Owner does not have the animal sterilized within 30 days of the dangerous animal determination, the animal control authority shall seize the animal and have the animal sterilized at the Owner's expense.

(5) The Owner of a dangerous animal who rents property from another, must notify the property Owner, prior to signing the lease agreement and at the time of any lease renewal that the person owns a dangerous animal that will also reside at the property.

(6) A person that transfers a dangerous animal must notify the new Owner that the animal has been identified as dangerous, and must also notify the City in writing, providing the new Owner's name, address and telephone number.

(7) The City shall seize a dangerous animal if, after 14 days after the Owner has notice that the animal is dangerous, the animal is not validly registered as a dangerous animal or the Owner has not secured the required liability insurance or surety coverage. The City may seize a dangerous animal if any other of the requirements contained in this subdivision have not been met. A seized animal may be reclaimed upon payment of impounding and confinement costs and proof that the requirements of this Ordinance have been met. An animal not reclaimed within seven days will be destroyed, and the Owner will be liable for all costs incurred in confining and disposing of the animal. A person claiming an interest in a seized animal may prevent disposition of the animal by posting security in an amount sufficient to provide for the animal's actual cost of care and keeping. The security must be posted within ~~7~~ 14 days of the seizure inclusive of the date of the seizure.

~~(8) Law enforcement; exemption. Nothing contained in this Ordinance shall apply to dogs used for law enforcement purposes by a law enforcement agency.~~

(F) Exemption. Animals may not be declared dangerous if 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 Owner of the animal;

(2) Who was provoking, tormenting, abusing, or assaulting the animal or who can be shown to have repeatedly, in the past, provoked, tormented, abused, or assaulted the animal; or

(3) Who was committing or attempting to commit a crime.

(G) Registration Fee. The annual fee to obtain a certificate of registration for a dangerous dog or potentially dangerous dog shall be per fee schedule.

(H) Potentially Dangerous Dogs

(1) If a dog determined to meet the definition, per M.S. § 347.50, of a potentially dangerous dog repeats, at any point following the determination, any of the criteria established to make the determination, the dog shall be considered a dangerous dog.

(2) Potentially Dangerous Dog designation review - Beginning six months after an animal is declared potentially dangerous; an Owner may request annually that the animal control authority review the designation. The Owner must provide evidence that the animal's behavior has changed due to the animal's age, neutering, environment, completion of obedience training that includes modification of aggressive behavior, or other factors. If the animal control authority finds sufficient evidence that the animal's behavior has changed, the authority may rescind the potentially dangerous dog designation.

Section 2. **Section §91.40 is hereby amended to read as follows:**

91.40 APPEALS.

(A) Any owner who feels aggrieved by a dangerous dog notice or order of the Chief of Police, or the Chief's designee may request a hearing before the City Council, which serves as the city's Hearing Officer, by filing an appeal in writing with the Chief of Police within 14 days after receipt of the notice or order. Upon the filing of such appeal, no further action shall be taken by the city until the matter has been decided by the City Council and all appeals or appeal opportunities have been exhausted. The owner may appear with or without legal counsel and present evidence in opposition to the notice or order. Following the appeals hearing, the City Council shall make a determination of facts and shall, based upon such determination, affirm, repeal, or modify the Police Chief's notice or order. The City Council shall also establish a date for compliance with the order as affirmed or modified, which date shall be not less than ten (10) days thereafter, in compliance with M.S. § 347.541.

Section 3. The City Clerk is hereby directed to make the changes required by this Ordinance as part of the Official St. Anthony City Code, and to renumber the tables and chapters accordingly as necessary to provide the intended effect of this Ordinance. The City Clerk is further directed to make necessary corrections to any internal citations that result from said renumbering process, provided that such changes retain the purpose and intent of the Ordinance as has been adopted.

Section 4. This Ordinance shall take effect and be in full force from and after its passage and publication. This ordinance may be published by summary publication, per a duly adopted resolution of the City Council. The ordinance in its entirety shall be

posted on the City website after publication. Copies of the complete Ordinance are available online and at St. Anthony City Hall for examination upon request.

ADOPTED BY the City Council of Saint Anthony Village, Minnesota this ____ day of _____, 2025.

Mayor Webster

ATTEST:

City Clerk

AYES:

NAYS: