

Sec. 10-52. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Dangerous dog means and includes:

(1)

Any dog with a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals;

(2)

Any dog which attacks a human being or domestic animal without provocation; or

(3)

Any dog owned or harbored primarily or in part for the purpose of dogfighting or any dog trained for dogfighting.

Dog means any male or female of the canine species.

Sec. 10-64. - Dangerous dogs.

(a)

No person owning or harboring or having the care or custody of a **dangerous dog** shall suffer or permit such dog to go unconfined on the premises of such person. A **dangerous dog** is "unconfined" as the term is used in this section if such dog is not securely confined indoors or confined in a securely enclosed and locked pen or a dog run area upon the premises of said person. Such pen or dog run area must also have either sides six feet high or a secure top. If the pen or structure has no bottom secured to the sides, the sides must be imbedded into the ground no less than one foot.

(b)

No person owning or harboring, or having the care of a **dangerous dog** shall suffer or permit such dog to go beyond the premises of such person unless such dog is securely muzzled and restrained with a chain having a minimum tensile strength of 300 pounds and not exceeding three feet in length.

(c)

No person shall own or harbor any dog for the purpose of dogfighting, or train, torment, badger, bait or use any dog for the purposes of causing or encouraging said dog to unprovoked attacks upon human beings or domestic animals.

(d)

No person shall possess with intent to sell, or offer for sale, breed, or buy or attempt to buy within the city any **dangerous dog**.

(e)

In the event that a police officer or animal control officer has probable cause to believe that a **dangerous dog** is being harbored or cared for in violation of subsections (a) through (d) of this section, the police officer or animal control officer may petition a court of competent jurisdiction to order the seizure and impoundment of the **dangerous dog** pending trial. In the event that a police officer or animal control officer has probable cause to believe that a **dangerous dog** is being harbored or housed in violation of subsection (c) of this section, the police officer or animal control officer may seize and impound the **dangerous dog** pending trial.

(Code 1978, § 5.09.03, subd. 16; Ord. No. 88-02)

State law reference— **Dangerous dogs**, Minn. Stats. § 347.50 et seq.

Sec. 10-65. - Failure to restrain an attack by a dog.

(a)

It shall be unlawful for an owner to fail to restrain a dog from inflicting or attempting to inflict bodily injury to any person or other animal. Violation of this section shall be a misdemeanor. The court, upon a finding of the defendant's guilt hereunder, is authorized to order, as part of the disposition of the case, that the animal be destroyed based on a written order containing one or more of the following findings of fact:

(1)

The animal is **dangerous** as demonstrated by a vicious attack, an unprovoked attack, an attack without warning, or multiple attacks; or

(2)

The owner of the animal has demonstrated an inability or unwillingness to control the animal in order to prevent injury to persons or other animals.

(b)

If the court does not order the destruction of the dog, the court, as an alternative, may order the defendant to provide, and show proof to the court of public liability insurance in the minimum amount of \$300,000.00.

(Code 1978, § 5.09.03, subd. 17; Ord. No. 88-02)

Sec. 10-66. - Stopping an attack.

If any police officer or animal control officer is witness to an attack by a dog upon a person or another animal, the officer may take whatever means they deem appropriate to bring the attack to an end and prevent further injury to the victim.