

South Lake Minnetonka Police Department  
24150 Smithtown Road  
Shorewood, MN 55331  
(952) 960-1676 (Animal Control Office)  
(952) 474-4477 (Office Fax)  
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## **REQUEST FOR APPEAL**

### **DANGEROUS DOG DECLARATION**

You have received notice of a Dangerous Dog Declaration. You may appeal the declaration by completing the bottom portion of this form and returning it to the SLMPD in person, by regular or electronic mail, or by facsimile. You must make your request for appeal within 14 days of the date of receiving the Notice of Dangerous Dog Declaration. Failure to do so within 14 days of the date of the notice will terminate your right to a hearing. In the event that the dangerous dog declaration is upheld by the hearing officer, actual expenses of the hearing up to a maximum of \$1,000 will be the responsibility of the dog's owner.

#### **Please note the following information:**

- **During the appeal process, you still must comply with the requirements of MN Statute 347.52, paragraphs (a) and (c). These requirements are outlined on the following page.**
- Once a request for appeal has been received, a hearing date and time will be established.
- You may bring any person with you who has testimony relevant to the issue. You may not bring your dog to the hearing.
- You and your witnesses will be allowed to testify. The hearing officer may ask questions of you and your witnesses.
- The hearing will be conducted by a hearing officer selected by the SLMPD.
- The SLMPD animal control officer or his/her designee will present information on how the incident in question met the criteria for a Dangerous Dog Declaration. The hearing officer may ask questions of the officer. You will then be given the opportunity to ask questions.
- The hearing officer will issue a written decision within ten working days.

**I hereby request a hearing to appeal the dangerous dog designation placed on the animal owned by me and identified herein.**

Owner: \_\_\_\_\_ D.O.B. \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Name of dog: \_\_\_\_\_ Color/Description: \_\_\_\_\_ Sex: \_\_\_\_\_

Spayed/Neutered: \_\_\_\_\_ Breed: \_\_\_\_\_ License #: \_\_\_\_\_

Owner Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## 2015 Minnesota Statutes

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### **347.52 DANGEROUS DOGS; REQUIREMENTS.**

(a) An owner of a dangerous dog shall keep the dog, while on the owner's property, in a proper enclosure. If the dog is outside the proper enclosure, the dog must be muzzled and restrained by a substantial chain or leash and under the physical restraint of a responsible person. The muzzle must be made in a manner that will prevent the dog from biting any person or animal but that will not cause injury to the dog or interfere with its vision or respiration.

(b) An owner of a dangerous dog must renew the registration of the dog annually until the dog is deceased. If the dog is removed from the jurisdiction, it must be registered as a dangerous dog in its new jurisdiction.

(c) An owner of a dangerous dog must notify the animal control authority in writing of the death of the dog or its transfer to a new location where the dog will reside within 30 days of the death or transfer, and must, if requested by the animal control authority, execute an affidavit under oath setting forth either the circumstances of the dog's death and disposition or the complete name, address, and telephone number of the person to whom the dog has been transferred or the address where the dog has been relocated.

(d) An animal control authority shall require a dangerous dog to be sterilized at the owner's expense. If the owner does not have the animal sterilized within 30 days, the animal control authority shall seize the dog and have it sterilized at the owner's expense.

(e) A person who owns a dangerous dog and who rents property from another where the dog will reside must disclose to the property owner prior to entering the lease agreement and at the time of any lease renewal that the person owns a dangerous dog that will reside at the property.

(f) A person who transfers ownership of a dangerous dog must notify the new owner that the animal control authority has identified the dog as dangerous. The current owner must also notify the animal control authority in writing of the transfer of ownership and provide the animal control authority with the new owner's name, address, and telephone number.