



Request for City Council Committee Action from the Department of Regulatory Services

Date: February 6, 2013

To: Council Member Don Samuels, Chair – Public Safety, Civil Rights, and Health Committee

Referral to: Council Member Betsy Hodges, Chair – Ways and Means Committee

Subject: **Ordinances amending Title 4 of the Minneapolis Code of Ordinances relating to *Animals and Fowl* -**

Chapter 64 relating to *Dogs, Cats, Ferrets, and Rabbits*. Amending and adding provisions regarding (1) declaration requirements for declared animals, (2) appeal hearing procedures for declared animals, (3) ordinance clarification, (4) restriction period, and (5) fees.

Chapter 66 relating to *Rabies Control*. Amending to eliminate midterm check.

Recommendation:

The City Council take action to amend Title 4 *Animal and Fowl*:

Chapter 64 relating to *Dogs, Cats, Ferrets, and Rabbits*. Amending and adding provisions regarding (1) declaration requirements for declared animals, (2) appeal hearing procedures for declared animals, (3) ordinance clarification, (4) restriction period, and (5) fees.

Chapter 66 relating to *Rabies Control*. Amending to eliminate midterm check.

Previous Directives:

N/A

Department Information

Prepared by: Dan Niziolek

Approved by:

Jay Stroebel, Interim Director of Regulatory Services

Dan Niziolek, Manager of Animal Care and Control

Presenters in Committee: Dan Niziolek

Financial Impact

- Other financial impact
 - Changes to fees charged.

Community Impact

- City Goals
 - A Safe Place to Call Home
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Supporting Information

Minneapolis Animal Care and Control asks the council's consideration of ordinance amendments related to dangerous animals (MCO 64.110) and rabies quarantine procedures (MCO 66.40). The proposed changes will improve MACC operations while ensuring public safety.

MCO 64.110 Dangerous and Potentially Dangerous Animals.

A recent Minnesota Supreme Court ruling related to a St. Paul Animal Control case highlights the need for direct testimony in animal declaration proceedings. Consequently, Minneapolis Animal Care and Control proposes moving potentially dangerous appeal hearing to be held in the same manner as dangerous declaration appeal hearings. In all cases, these would be in person hearings with a hearing officer. Fees are proposed to reflect this change.

Years of enforcing Minneapolis' Dangerous Animal ordinances provides support for greater differentiating of animals declared Potentially Dangerous. Currently, there is a significant range of behaviors exhibited by dogs declared Potentially Dangerous; yet, all are required to meet the same requirements. Minneapolis Animal Care and Control requests a greater ability to match the behavior with the specific handling requirements. This includes the type of enclosure required when the dog is outside off leash.

Application of Minneapolis' Dangerous Animal ordinances revealed a few instances of unintended outcomes. These include improper subsection reference, lack of specific subsections being applicable to cats, and unintended limiting of ownership restrictions.

Minneapolis Animal Care and Control also proposes allowing the waiver and/or reduction in appeal hearing fees for individuals/households with limited income.

MCO 66.40 Rabies Control

Minneapolis Animal Care and Control proposes to eliminate the midterm check for animals under a Rabies Quarantine. Current practice is to perform a midterm (5 days) and a term (10 days) check on animals under a Rabies Quarantine. Given the incidence of rabies and the fact that all serious bites require the animals to be quarantined at the Minneapolis Animal Care and Control shelter, MACC believes that a term check will ensure the protection

of the public. Other metro jurisdictions already utilize a similar approach. This does not preclude Minneapolis Animal Care and Control from conducting midterm checks