



Olmsted County Code of Ordinances

Chapter 2600
OLMSTED COUNTY DANGEROUS DOG ORDINANCE

Olmsted County, Minnesota

Resolution No. 26 - 14; Adopted February 3, 2026.

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OLMSTED COUNTY ORDINANCE

Chapter 2600

THE COUNTY BOARD OF THE COUNTY OF OLMSTED ORDAINS:

2601. TITLE AND JURISDICTION.

This Ordinance is known as the Olmsted County Dangerous Dog Ordinance. The provisions of this Ordinance apply to any dog found or residing in the unincorporated areas of Olmsted County, Minnesota. It does not apply within any statutory city or home rule charter city within Olmsted County.

2602. PURPOSE.

The purpose of this Ordinance is to protect the health, safety, and welfare of Olmsted County residents against the risks that dangerous dogs and potentially dangerous dogs pose to persons and domestic animals.

2603. DEFINITIONS.

2603.01. County

Means any Olmsted County agency, Olmsted County department, or Olmsted County elected office, or any designee thereof, that has authority to act pursuant to this Ordinance.

2603.02. Dangerous dog

Means any dog that has:

- (a) Caused the death of a person;
- (b) Without provocation and while on either private property or public property, inflicted substantial bodily harm on a person;
- (c) Been declared potentially dangerous and, after the owner has received notice of such declaration, bitten, attacked, or endangered the safety of persons or domestic animals;
- (d) Without provocation, killed a domestic animal anywhere other than on an owner's property; or
- (e) Been declared dangerous pursuant to this Ordinance.

2603.03. Great bodily harm

Means any physical injury sustained by a person that creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm. The phrase “great bodily harm” also includes, but is not limited to:

- (a) An injury that requires emergency surgery to prevent loss of life;
- (b) A cut or bite that penetrates through soft tissue to the bone; and
- (c) The loss of a tooth.

2603.04. Owner

Means any person 18 years of age or older that possesses, harbors, keeps, has an ownership interest in, or has care, custody, or control of a dog. Owner also means any agency corporation organization or department that possesses, harbors, keeps, has an ownership interest in, or has care, custody, or control of a dog.

2603.05. Person

Means a human being of any age.

2603.06. Potentially dangerous dog

Means any dog that has:

- (a) Without provocation and while on either private or public property, bitten a person or domestic animal;
- (b) Without provocation, chased a person or approached a person in an apparent attitude of attack;
- (c) A known propensity, tendency, or disposition to attack without provocation, thereby threatening the safety of persons or domestic animals; or
- (d) Been declared potentially dangerous pursuant to this Ordinance.

2603.07. Proper enclosure

Means:

- (a) A securely enclosed and locked pen;
- (b) A structure suitable to prevent a dog from escaping that provides the dog with protection from the elements; or

- (c) Any other structure that prevents a dog from exiting of its own volition.

A dog is not within a proper enclosure if it is within any house or structure in which one or more than one window is open, or in which a door or window screen is the only obstacle that prevents the dog from exiting the house or structure.

2603.08. Provocation

Means any purposeful act committed by a person 18 years of age or older that the person knows, or has reason to know, could cause a dog to bite or attack.

2603.09. Responsible person

Means any person age 18 years or older who is of suitable size and strength to maintain physical restraint of a dangerous dog.

2603.10. Substantial bodily harm

Means a temporary but substantial disfigurement of any part of a person's body, a temporary but substantial loss or impairment of the function of any part of a person's body, or a fracture of any bone in a person's body. The phrase "substantial bodily harm" also includes, but is not limited to:

- (a) A cut or bite that leaves a scar;
- (b) A cut or bite that requires sutures;
- (c) Visible swelling of a half-centimeter or more;
- (d) A bruise that leaves permanent discoloration;
- (e) A chipped tooth;
- (f) Loss of consciousness; and
- (g) A concussion.

2603.11. Victim

Means a person who has been bitten, chased, or attacked by a dog, irrespective of whether there has been a final declaration that the dog is potentially dangerous or dangerous.

2604. WRITTEN DECLARATION.

2604.01. Dangerous Dog

The Sheriff or his designee shall issue a written declaration that a dog is a dangerous dog within three business days of receiving a credible report that the dog meets one or more of the definitions set forth in Section 2603.02. The written declaration shall include:

- (a) The name and phone number of at least one owner of the dangerous dog;
- (b) The specific facts that demonstrate the dog meets the definition of a dangerous dog;
- (c) A physical description of the dangerous dog;
- (d) A statement that the owner may request a hearing to appeal the declaration by following the procedures set forth in Section 2605;
- (e) A statement that even if the owner requests an appeal hearing within 14 calendar days of delivery of notice, the owner must comply immediately with the provisions of Sections 2607.03, 2607.09, and 2607.10;
- (f) A statement that failure to submit a request for an appeal hearing within 14 calendar days of the date of service pursuant to Section 2604.03 will: (i) terminate the owner's right to a hearing or otherwise challenge the declaration, and (ii) within 14 calendar days of the date of service, require compliance with the provisions of Section 2607;
- (g) A statement that if an owner does not submit a request for an appeal hearing within 14 calendar days of the date of service: (i) the owner must comply with the provisions of Sections 2607.05; and (ii) failure to comply with the provisions of Section 2607.05 within 14 calendar days of the date of service shall result in the immediate seizure of the dangerous dog pursuant to Section 2608; and
- (h) That any owner seeking to reclaim the dog under Section 2608 shall be responsible for the actual costs of impounding and maintaining the dog before the dog will be returned.

2604.02. Potentially Dangerous Dog

The Sheriff or his designee shall issue a written declaration that a dog is a potentially dangerous dog within five business days of receiving a credible report that the dog meets one or more of the definitions set forth in Section 2603.06. The written declaration shall include:

- (a) The name and phone number of at least one owner of the potentially dangerous dog;

- (b) The specific facts that demonstrate the dog meets the definition of a potentially dangerous dog;
- (c) A physical description of the potentially dangerous dog;
- (d) A statement that the owner may appeal the declaration pursuant to Section 2605 and that failure to do so within five business days of the date of service under Section 2604.03 will terminate the owner's right to appeal or otherwise challenge the declaration; and
- (e) A statement that an owner must comply with Section 2606 within 14 calendar days of the date of service if the owner does not personally deliver an appeal within five business days of the date of service.

2604.03. Notice of Declaration

The County shall provide notice of the declaration to at least one owner of the dangerous dog or potentially dangerous dog as soon as practicable. Such notice shall be made by personally serving a copy of the written declaration with a copy of the County's appeal form.

2604.04. Final Declaration

A declaration becomes final upon:

- (a) The expiration of the designated time period for personally delivering an appeal form to the County, if no appeal form is filed during such time period; or
- (b) The date of a written decision pursuant to Section 2605 that upholds the declaration that a dog is dangerous or potentially dangerous.

A declaration that becomes final under paragraph (a) is public data as defined by Minnesota Statutes Section 13.02, subdivisions 14 and 15. A decision upholding the declaration that a dog is dangerous or potentially dangerous under paragraph (b) is public data as defined by Minnesota Statutes Section 13.02, subdivisions 14 and 15.

2604.05. Effect of Declaration

An owner who does not personally deliver an appeal form within the designated time for appealing a declaration shall comply with the requirements of this Ordinance as soon as practicable, but in no event more than seven calendar days after the declaration becomes final.

2604.06. Uniform Sign and Tag

The County shall provide an owner of a dangerous dog with the following items within three business days after the declaration becomes final:

- (a) The uniform warning symbol issued by the Minnesota Department of Public Safety pursuant to Minnesota Statutes Section 347.51 and Minnesota Administrative Rule 7417;
- (b) A uniform dangerous dog tag issued by the Minnesota Department of Public Safety; and
- (c) A copy of the requirements of Section 2607.

2605. APPEAL PROCEDURES.

2605.01. Commencement of Appeal

An owner of a dog declared to be a dangerous dog or a potentially dangerous dog may appeal the declaration by personally delivering a completed appeal form to: Olmsted County Sheriff's Office, 101 Fourth Street Southeast, Rochester, Minnesota, 55904.

2605.02. Hearing Date

A hearing on the appeal must be held within 14 calendar days of the date that the appeal form is personally delivered to the County. Notice of the hearing date and time shall be served personally on the person requesting the appeal and on any victim of the dog that is the subject of the appeal.

2605.03. Hearing Officer

An impartial hearing officer with professional experience in either veterinary science or veterinary medicine shall conduct the appeal hearing. For purposes of this section, an impartial hearing officer is one who does not have prior experience with the dangerous dog or potentially dangerous dog that is the subject of the appeal. Any victim of the dog that is the subject of the appeal shall have the right to make a statement at the appeal hearing.

2605.04. Written Decision

The hearing officer who conducts the appeal hearing shall issue, within 10 calendar days of the hearing date, a written decision that either upholds or overturns the declaration. Copies of said decision shall be:

- (a) Personally served, as soon as practicable, upon the owner who requested the appeal; and
- (b) Filed with the County as soon as practicable.

2605.05. Hearing Expense

If the declaration is upheld, the owner of the dangerous dog or potentially dangerous dog shall be responsible for the actual expenses associated with the hearing, up to an amount

of \$1000.00. Such expenses shall include, at a minimum, the standard fee for personal service of the written decision and an hourly rate for the time the impartial hearing officer spends in preparing for and conducting the appeal hearing.

2606. OWNING A POTENTIALLY DANGEROUS DOG.

2606.01. Microchip

An owner of a potentially dangerous dog shall have a microchip implanted in the potentially dangerous dog for identification. The owner must provide to the County the name of the microchip manufacturer and the identification number of the microchip within 14 calendar days of the date the declaration becomes final.

2606.02. Proper Enclosure

An owner of a potentially dangerous dog shall keep the potentially dangerous dog in a proper enclosure while the dog is on the owner's property. If the dog is outside the proper enclosure, the dog must be restrained by a substantial chain or leash and under the physical restraint of an owner or a responsible person.

2607. OWNING A DANGEROUS DOG.

2607.01. Sterilization

An owner of a dangerous dog shall have the dangerous dog sterilized within 30 days that the declaration becomes final. If no owner ensures the dangerous dog is sterilized within 30 days, the County shall seize the dangerous dog as soon as practicable and have it sterilized at the owner's expense.

2607.02. Microchip

An owner of a dangerous dog shall have a microchip implanted in the dangerous dog for identification. The owner must provide to the County the name of the microchip manufacturer and the identification number of the microchip before a certificate of registration will be issued pursuant to Section 2607.05.

2607.03. Proper Enclosure

An owner of a dangerous dog shall keep the dangerous dog in a proper enclosure while the dog is on the owner's property. 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 an owner. The muzzle must be made in a manner that will prevent the dangerous dog from biting any person or animal, but that will not cause injury to the dangerous dog or interfere with its vision or respiration.

2607.04. Collar

An owner of a dangerous dog shall ensure that the dangerous dog wears a collar at all times with the uniform dangerous dog tag issued by the Minnesota Department of Public Safety pursuant to Minnesota Statutes Section 347.51 and Minnesota Administrative Rule 7417.

2607.05. Registration

An owner of a dangerous dog must register the dangerous dog with the County. The registration process shall include a site visit by the Sheriff or his designee(s) to inspect the premises on which the dog is kept. The County shall issue a certificate of registration to an owner upon completion of the site visit and receipt of sufficient evidence that:

- (a) The owner has a proper enclosure for the dangerous dog;
- (b) The owner has posted a clearly visible warning sign that there is a dangerous dog on the property;
- (c) The owner has posted the uniform warning symbol to inform children that is issued by the Minnesota Department of Public Safety and provided to the owner by Olmsted County Public Health pursuant to Minnesota Statutes Section 347.51 and Minnesota Administrative Rule 7417;
- (d) The owner has a policy of liability insurance, in the amount of at least \$300,000, issued by an insurance company authorized to conduct business in the State of Minnesota and that insures the owner for any personal injuries inflicted by the dangerous dog;
- (e) The owner has paid a fee of \$500.00 to obtain a certificate of registration; and
- (f) The owner has had microchip identification implanted in the dangerous dog.

What constitutes sufficient evidence of the foregoing shall be determined by the Sheriff, but at a minimum shall include a copy of the liability insurance policy required herein or a certificate of insurance documenting the same. A victim of a dangerous dog has the right to inspect the insurance information for said dangerous dog.

2607.06. Annual Renewal

An owner of a dangerous dog must renew the dangerous dog's registration annually by paying a fee of \$500.00 to the County until the dangerous dog is deceased.

2607.07. Notification to Landlord

An owner of a dangerous dog who rents property on which the dangerous dog will reside shall notify the property owner, prior to entering a lease agreement and upon any renewal of said agreement, that a dangerous dog will reside at the property.

2607.08. Transfer of Ownership

An owner of a dangerous dog who transfers ownership to another person shall notify said person that the dangerous dog has been the subject of a declaration issued pursuant to this Ordinance.

2607.09. Notification of Transfer

An owner of a dangerous dog who transfers ownership to another person shall notify the County in writing within 14 calendar days of the time a dangerous dog is transferred to the new owner and residence. Said writing shall include the complete name, address, and telephone number of the new owner.

2607.10. Notification of Death

An owner of a dangerous dog shall notify the County in writing within 30 calendar days of the time a dangerous dog dies and, upon the County's request, shall execute an affidavit under oath setting forth the circumstances of the dog's death and disposition.

2608. SEIZURE OF DANGEROUS DOGS.

2608.01. Mandatory Seizure

The County shall seize immediately any dangerous dog if the dangerous dog:

- (a) Is not registered pursuant to Section 2607.05 within 14 calendar days of the date the declaration becomes final;
- (b) Is not sterilized within 30 calendar days of the date the declaration becomes final;
- (c) Is not maintained in a proper enclosure; or
- (d) Is located or found outside the proper enclosure and is not under the physical restraint of an owner.

2608.02. Right to Reclaim

An owner may reclaim a dangerous dog seized pursuant to Section 2608.01 if the owner presents proof to the County that the dangerous dog has been registered pursuant to

Section 2607.05 and pays all fees associated with seizing, housing, and maintaining the dangerous dog through the date it is reclaimed.

2608.03. Destruction

A dangerous dog not reclaimed by an owner pursuant to Section 2608.02 within seven calendar days of seizure shall be destroyed in a proper and humane manner consistent with standard veterinary practices.

2609. SEIZURE OF ANY DOG.

2609.01. Mandatory Seizure

Notwithstanding any other provision of this Ordinance, the County shall seize any dog that, without provocation:

- (a) Inflicts substantial bodily harm on a person;
- (b) Inflicts great bodily harm on a person;
- (c) Inflicts multiple bites on a person;
- (d) Bites multiple persons in the same attack; or
- (e) Bites a person in an attack in which more than one dog participated.

2609.02. Notice of Seizure

The County shall personally serve notice to an owner that a dog has been seized pursuant to this section within one business day of the seizure. Said notice shall include:

- (a) A statement that an owner has the right to a hearing before an impartial hearing officer to challenge the seizure and destruction of the dog;
- (b) A statement that failure to challenge the seizure by requesting a hearing within seven calendar days of the date notice is served shall result in destruction of the dog; and
- (c) A statement that the owner is responsible for the actual costs associated with the seizure, housing, maintenance, and destruction of the dog if the owner does not timely challenge the seizure or the seizure is upheld after a hearing by an impartial hearing officer.

2609.03. Request for Hearing

An owner may challenge a seizure under this section by personally delivering a request for a hearing within seven calendar days of the date notice is served pursuant to Section 2609.02.

2609.04. Hearing

The County shall arrange for and ensure that a hearing requested under this section is held by an impartial hearing officer within three business days of receiving such request. For purposes of this section, an impartial hearing officer is a person with professional experience in either veterinary science or veterinary medicine who does not have prior experience with the dog that is the subject of the appeal.

2609.05. Hearing Officer Duties

The impartial hearing officer in a proceeding under this section shall:

- (a) Issue a decision immediately upon conclusion of the hearing; and
- (b) Uphold the seizure of the dog unless the owner who requested the hearing establishes good cause that the dog should not be destroyed.

2609.06. Destruction

The County shall arrange for and ensure the destruction of any dog seized under this section:

- (a) On the eighth calendar day after notice was served under Section 2609.02, if no owner has requested a hearing; or
- (b) No later than three business days after the seizure is upheld under Section 2609.05.

2610. CRIMINAL PENALTIES.

It is a misdemeanor to:

- (a) Violate any provision of Section 2607; or
- (b) Remove a microchip from a dangerous dog or potentially dangerous dog.

A person who is convicted of a second or subsequent violation of this section is guilty of a gross misdemeanor.

2611. EXEMPTIONS.

2611.01. Application

The provisions of this Ordinance do not apply to any dog used by licensed peace officers to perform official law enforcement duties.

2611.02. Exceptions

The provisions of this Ordinance do not apply to any dog who otherwise meets the definition of a dangerous dog if the person sustaining injury or damage was:

- (a) At the time of sustaining the injury or damage, committing a willful trespass or other tort upon the premises occupied by the owner of the dog;
- (b) Provoking, tormenting, abusing, or assaulting the dog;
- (c) Someone who can be shown to have provoked, tormented, abused, or assaulted the dog repeatedly in the past; or
- (d) Committing or attempting to commit a crime.

2612. STATE LAW TO SUPPLEMENT.

If this Ordinance is silent in any respect as to potentially dangerous dogs and dangerous dogs as defined herein, Minnesota Statutes Sections 347.50 to 347.56 shall control.

2613. SEVERABILITY.

If any section or provision of this ordinance is held invalid, such invalidity will not affect any other section or provision that can be given force and effect without the invalidated section or provision.


2614. EFFECTIVE DATE.

This ordinance shall be effective on February 7, 2026, after publication made in conformity with Minnesota Statutes Section 375.51.

ADOPTED by the Olmsted County Board of Commissioners on this third day of February, 2026.

COUNTY OF OLMSTED

DocuSigned by:



2/9/2026 | 12:14 PM CST

David Senjem, Chair of the County Board
of Commissioners

Attest: 

2/9/2026 | 12:21 PM CST

Clara Sifuentes
Deputy Clerk of the County Board

Adopted: February 3, 2026

END OF CHAPTER 2600