

WINONA POLICE DEPARTMENT

NUMBER: 108-01 PAGES: 2

EFFECTIVE DATE: July 27, 2004

SUBJECT: HABITUALLY BARKING DOG COMPLAINTS

1.0 PURPOSE:

It is the purpose of this general order to establish policy and procedures for the handling of habitually barking dog complaints by members of the Winona Police Department.

2.0 POLICY:

It is the general policy of this department, based on guidelines set forth by the City Attorney's office, that in order to prove a case of habitual barking dog, according to Winona City Code Section 36.05, it is necessary to conduct a thorough investigation into the incident. Such investigation will include gathering statements and other documentation from the complaining party, or parties, to substantiate the fact that the dog does bark habitually.

3.0 PROCEDURE:

3.1 Whenever a barking dog complaint comes in, an officer should be sent in response to the complaint, and the officer should take whatever action is necessary to try and remedy the immediate problem. This would include contacting the owner of the dog and asking him/her to correct the problem.

3.2 In the event that a barking dog complaint comes in and the owner cannot be contacted, or if the complainant wishes to pursue criminal charges against the owner, the following steps should be taken.

3.2.1 The complainant should be informed that it may be necessary for him/her to appear in court to offer testimony that the dog does, in fact, bark habitually.

3.2.2 The complainant should be asked to complete a signed statement indicating the dates and times that the dog has been barking.

3.2.3 The complainant should be asked to furnish any information regarding others in the neighborhood that may also be able to furnish facts regarding the barking.

3.2.4 At the time the officer receives this call, he/she should also, through a written report, verify that the dog is barking.

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3.2.5 The complainant should be encouraged to report to police each and every time the dog is habitually barking for added verification of the problem.

3.2.6 When the case is complete, the officer should forward a copy of the statements and reports to the City Attorney so that a complaint and summons can be drafted.

3.3 In the event of any animal problem case, the officer, if unable to contact the owner, shall leave an animal notice card at the residence.