97B.665 BEAVER DAMS; THREATS TO SAFETY OR PROPERTY.

Subdivision 1. MS 2008 [Repealed, 2010 c 361 art 4 s 83]

Subd. 1a. **Removing beaver dams; agreement by landowner.** (a) Except as provided in paragraph (b), a beaver dam that is causing damage to property may be removed or destroyed by a person or the person's agent from property that is owned, occupied, or otherwise managed by the person.

(b) A person or a person's agent may not remove or destroy a beaver dam under this subdivision when a permit is required under section 103G.245 if removing or destroying the dam would change or diminish the historical water levels, course, current, or cross section of public waters.

(c) A person or a person's agent may not remove or destroy a beaver dam under this subdivision if the dam is on public property or another person's private property unless the person obtains the approval or permission of the landowner of the property where the beaver dam is located.

(d) If unable to obtain the approval or permission of the landowner under paragraph (c), a person may petition to district court for relief as provided in subdivision 2.

(e) For purposes of this subdivision:

(1) "landowner" means:

(i) the owner, lessee, or occupant of private property; or

(ii) an authorized manager of public property; and

(2) "person" includes a governmental entity in addition to the entities described under section 97A.015, subdivision 35.

Subd. 2. **Petition to district court.** If a beaver dam causes a threat to personal safety or a serious threat to damage property, a person may petition the district court for relief. The court may order the owners of private property where beaver dams are located to take action to reduce the threat. A permit is not required for an action ordered by the court. The action may include destruction or alteration of beaver dams and removal of beaver. This subdivision does not apply to state parks, state game refuges, and federal game refuges.

History: *1986 c 386 art 2 s 55; 2010 c 361 art 4 s 47; 1Sp2019 c 4 art 3 s 65*