

## TOWN OF WESTMINSTER SELECTBOARD (SB)

### PUBLIC HEARING – ANIMAL ORDINANCE MAY 23, 2018

Members Present: K. Sheldon Beebe (Chair), Susan Harlow (Clerk), Toby Young and Kevin Hughes.  
Absent: Craig Allen (Vice Chair). Others Present: Russell Hodgkins (Town Manager / Zoning Administrator), Millie Barry (Recording Clerk), 20 Westminster residents plus three others that did not sign in.

**1. CALL TO ORDER:** K. Sheldon Beebe called the Hearing to order at 6:00 p.m.

**2. HEARING:** The SB Chair and Town Manager told the public the changes to the Ordinance would give the Sheriff and the Dog Control Ordinance 'more teeth' adding more specifics to the Ordinance in case of dog/domestic animal problems. The changes to the Ordinance were read: Jan Ameen stated the biggest change is dogs are required to be leashed or under voice control on all Town public roads. Doug Barton commented, (under violations) the State guideline of a domestic pet/animal barking, whining, calling or howling for a continuous period of 15 minutes or more is too short of a time to be a violation. Kathy Kingston requested a legal opinion/clarification of the wording in (Dog Control Areas) – "All Town Roads on which dogs being walked must be restrained on a leash". Under Running at Large – Susan Harlow stated she would like to see B – "A domestic pet/animal off the Owners property constrained by a leash or in the presence of a person and obedient to that person's command and not causing danger or nuisance (considered under control)" for all roads. A lead would not be necessary but the dog is under control of the Owner. Article VII – Enforcement and Penalties – Violations of this Ordinance may be referred/reported to the (SB) at the discretion of the Animal Control Officer. Russell Hodgkins said all violations are reported to the (SB) for knowledge and informational purposes. Article VII - Enforcement and Penalties - Carrie Gelfan asked if fines in the case of a harassing dog were mandatory. She stated the penalties/policy were way too lenient. The Town has a moral and legal obligation to protect its citizens so they can walk/run without stress on highways. There is a real duty to enforce the Ordinance and issue fines. Jan Ameen stated there is no log of public nuisance reports pertaining to dog problems. Legal documentation is required to charge a dog or owner behavior. Mr. Hodgkins stated there were two chronic dog Owners in the Town that did not take care of their dogs. Sheriff Keith Clark confirmed a criminal case is required dictating a person cannot own an animal after an animal(s) are removed for repeated offenses. This order requires a judicial officer and the order is rare. Jan Ameen stated in research she completed, there were 13 reported dog bites since 2016. The leash law does not prevent dog bites. Instead of a Town wide leash law to figure out why people do not register their dogs. Her suggestions to resolve registration problems were to educate citizens on the importance of rabies vaccinations and public health issues and/or to expand Town Clerk hours for dog registrations or a tri-town registration arrangement. Also, an animal advisory committee to look at State regulations and to research what other Towns are doing to register their dogs. To be pro-active not reactive in tackling the issues. Peter Barrett suggested having a 3 minute speaking limit for a public hearing. In addition he spoke about problems with neighbor dogs barking, creating a nuisance but not being a threat. Sheriff Keith Clark stated a deputy responds to problems if requested by an Animal Control Officer or Selectboard for enforcement issues. Clark suggested removing the specific dog control area language and to replace with public roads or public areas making the ordinance easier to enforce. People should be able to walk/bike without being harassed. He stated the VLCT has a model ordinance that has been well researched and reviewed by attorneys which the Town may be able to adopt and enforce. It may

be best to start over and really look at the proposed ordinance in terms of protecting the public and animals. Kathy Kingston noted as a former humane officer and animal control officer approaching a neighbor to talk about a problem was a good first step. Often someone doesn't know their dog is a nuisance or creating a problem. David Major stated there is wording in the State Statute about registration and money involved to license 'working' dogs. He requested the (SB) include something in the current/proposed Town Ordinance about 'working' dogs. Natalie Crocker stated she runs with her dogs on leash and finds it distressing when a big dog threatens her/her dog during outings. She asked if there was a way to have places where public trails would be designated 'off leash' for dogs under control of their Owner. These could be places where people could exercise and train dogs, an outlet where people could play with their dogs outside. Terry Shepard noted dogs running loose/unsupervised were a problem on the Westminster Center School playground, especially after school hours. Mr. Hodgkins stated the school had contacted the Manager and are looking for signage to remedy the school problem. Mr. Beebe noted the (SB) would continue to discuss the Ordinance taking comments and opinions into consideration. Another public hearing will be advertised on sign boards throughout the Town and in the Westminster Gazette. The Public Hearing ended at 7:10 p.m.