

Safety Health, and Service

October 13, 2014

The Safety, Health, and Service committee met at 6:30 PM in Council Chambers. Present were committee members Rob Maurer, Dan Lanzer, and Cheryl Ramos. Also in attendance were Jim Zucal, Darrin Lautenschleger, John Zucal, Patti McKay, Sam Hitchcock, Sandy Cox, Greg Popham, and Media.

There were two items on the agenda. The first was possible changes to special pickups regarding the sanitation dept. and the second was a review of our Animals and Fowl ordinance specifically relating to viscous dogs.

Service director Jim Zucal opened the meeting stating he wanted to review chapter 971 regarding rubbish. He feels the guys are doing a good job in the department but the problem lies within the special pickups. New Philadelphia residents are allowed 3 special pickups per year. He passed around 8-9 pictures of residents with trash piled outside the dwellings. He called these cleanouts where landlords will clean out an entire house after a tenant has left either willingly or evicted. Zucal felt we need some teeth in our ordinance. He thought we need some type of commercial code that deal with landlords may be appropriate. These cleanouts add to our tipping fees due to extra tonnage. Zucal is going to investigate on what we can do to help alleviate the abuse and get back to the committee with suggestions.

The seconded item the committee reviewed was Chapter 505 which deals with animals and fowl. Mr. Mark Sturm had asked City Council President Sam Hitchcock that the City review our ordinance that deals with dogs at large. Mr Sturms dog was attacked and killed by a king mastiff that he states was unleashed, unlicensed, unvaccinated, and had a previous history of attacking another dog. He states the dog warden who investigated said their was no previous history of the king mastiff. Sturm felt larger dogs pose a greater risk of danger than smaller dogs and that the city only has a leash law that has a \$25 fine. He felt dog licensing should be done by a weight category. Larger dogs require larger fee due to risk. Sturm feels dogs should be seized on the spot by dog warden and euthanized. He is upset that there are more laws that deal with humans killing dogs than dogs attacking each other. Sturm felt that the owner of a deceased pet should be compensated \$1000 for the loss of the pet, the trauma of witnessing the death, and the expenses of burying the pet.

Committee chair Rob Maurer asked Mark Sturm about the previous history of the king mastiffs attacks. Sturm said the mastiff attacked a dog owned by John Chamberlain in November 2013. The dog warden told Sturm that they had no report of the attack and he feels it fell through the cracks. Greg Popham asked if Chamberlain was bit by the dog and Sturm said he was and went to Union Hospital. Maurer asked Sturm if he has read our city ordinances because we have more than a leash law on the books and actually have about 12 pages that deal with animals. Law Director Marvin Fete explained the penalties for a first degree misdemeanor is up to 6 months in

jail and \$1000 fine. This is the penalty for a dogs owner who has been charged twice for attacking. Mark Sturm asked who is responsible for charging the owner of the dog. Fete believes if the officer has probable cause, he can cite the owner. Sturm was extremely upset that the owner of the mastiff only received a \$25 fine.

John Zucal felt we need to be cognizant of pet owners who dogs can run out the door and bite someone in a moment's notice. Owners have a responsibility to make sure things of this nature do not happen but sometimes can be difficult. Cheryl Ramos felt that it may be an enforcement issue after speaking with her neighbor who had a similar attack. Greg Popham felt we have adequate laws but it may be a reporting issue. A possible theory is that the dog warden, police department, and health dept. are not communicating with one another. For example, dog warden investigates a dog bite but does not tell police dept. so they have no report on file in case a dog repeats the cycle. He felt there may need to be a database to make sure nothing slips through the cracks.

Maurer asked that Greg Popham talk to the police chief or department and get there take on the dog bite ordinance and report back to the committee. Dan Lanzer moved for adjournment at 7:20 pm.

Sincerely,



Rob Maurer
Chairman