



TOWN OF KITTELY

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TOWN COUNCIL

WORKSHOP AGENDA

MONDAY DECEMBER 9, 2019

COUNCIL CHAMBERS

5:00 P.M.

The Town Council will meet with the Park Commission to Discuss Dogs.

REPORT to the KITTERY TOWN COUNCIL

State of the situation

RESPONSIBLE INDIVIDUALS (Parks Commission):

Rich DeMarco (Co-Chair), Page Mead (Co-Chair), Gale Turner, Kristina DeMarco, Denise Payne, Dave Wrocklage

Subject: Presentation of facts and opinions related to dog issues and Parks Commission recommendation for addressing issues at Fort Foster and Seapoint/Crescent Beaches (otherwise referred to as Seapoint Beach in this report

Summary:

Town Council has asked the Parks Commission to put in context the existing situation, as it pertains to dogs at Fort Foster and Seapoint Beaches. Also requested was solutions where problems exist. This report is designed to be a "state of the situation" and focuses on mostly presenting factual information to better understand the situation.

Background:

The topic of Dogs seems to be polarizing. When issues arise, it is a very popular topic on social media. Rumors and stories spread easily. Stories are easy to remember, but not always correct on facts.

- Dog waste at FF and Seapoint is a nuisance to both dog owners and non-dog owners alike. Although a few have voiced responses in favor of leaving waste on the ground it has been determined the majority of the public is in favor of less waste being left at the parks. A public group formally called "Friends of the Fort" has been proactive in picking up waste and educating dog owners to carry out their pet waste from the park. A public initiative on waste removal has been tried at Seapoint Beach.
- Dogs not under control of their owner is viewed as more of a problem for visitors without dogs; although, some dog owners have also expressed concern about this issue. The problem of a dog not under control is the unwanted presence of a dog and feeling unsafe. Voice control, when it works, prevents the problem. Voice control is viewed as subjective and inconsistent. This has resulted in many of the public presuming this as an "unleashed" dog problem. Consequences like dog bites, dog fights, etc. are not common, but when one occurs it can be serious and/or threatening.

Existing Oversight:

- State Law – Appendix A
- Kittery Law – Appendix B
- Fort Foster Rules and Regulations – Appendix C
- Seapoint Beach Rules and Regulations – Appendix D

Current Situation:

- A summary of the current situation is noted in Appendix E

Issues presented:

- 1) Dogs not under control of their owner – at Fort Foster and Seapoint Beach
- 2) Dog waste – at Fort Foster and Seapoint Beach

Issue 1 Summary:

When aggressive dogs are not “under control” it can create a threatening situation for patrons and other dogs. Dogs are allowed to be off-leash at Seapoint Beach and Fort Foster as long as they are under control of the owner. Due to the lack of a clear definition it is difficult for parties involved in a confrontation to be on the same page and report incidents. It is even more difficult to prevent a confrontation with the current text. When dogs are curious or not well behaved they can stray from owners and approach patrons or other dogs. Although not always a problem, it is uncertain if these dogs are under control. When a dog returns to the owner it is up to interpretation if the dog is truly under control or just completed its curiosity. During times when a leash law is in effect the definition needs to be clear for patrons, park staff, and police to spot and report violations.

Actions: The ACO is working on recommendations to update ordinances and rules related to dogs. The Parks Commission is working on recommendations to improve signage and displaying the rules at Fort Foster and Seapoint Beach. Now that the number 1 noted solution in the Town survey (Appendix K) is achieved the Parks Commission will further discuss the number 2 solution – designating times/locations for dogs off leash, dogs on leash, and dogs prohibited.

Issue 2 Summary:

Through discussion and observations, it is now known dogs most often defecate after exiting a vehicle, at time of arrival, when entering the park. This is a high traffic area, very visible area, first impression area, and isolated area when considering the size of the park.

2a) Used waste bags are frequently found, on the ground, at the entrance to Fort Foster and Seapoint Beach. The Police Chief has verified visitors state they will pick up the waste bags upon exiting the park, but there is no way to confirm if this is actually happening. Waste bags left on the ground are perceived by some to be a violation of the pooper scooper rule, while the Police Chief has confirmed it is not as the rule states. **Current Fort Foster Rule:** Owners or keepers must take their dogs' solid waste with them *when leaving the park*. **Current Seapoint Beach Rule:** Owners and keepers must properly dispose of animal waste either by placing it in supplied receptacle(s) or, if one is not supplied, by taking it with them *when leaving the beaches*.

Actions: The new ACO is working on recommendations to clarify this rule using terminology that is more clear to visitors, staff, and allows the police department to effectively enforce.

2b) Dog waste not in bags can be found at the park. It is mostly found off the main roads and walkways. Through discussion and observations it is seen dogs off leash can leave owners' sight and are believed to defecate before returning to their owners. It is not known if these situations are a violation of the dogs being under control or are a result irresponsible owners. Regardless, when noticed, this is most commonly interpreted as a violation as the dog owner is not showing any intent

to pickup the waste and take it with them when leaving the park. It is difficult to catch this violation as dogs are typically out of sight.

Actions: Proactive enforcement by the new ACO is underway. The first ticket for littering has been written. The Parks Commission is excited to monitor progress with new enforcement

Additional Comments:

- 1) A success rate of 100% might be an unrealistic expectation. The Town should decide if there is any acceptable level of tolerance and reset expectations accordingly
- 2) Although reducing number of dogs at a park should reduce the number of complaints, based on the law of numbers, it is likely this could just transfer the problem to other parks in town.
- 3) Although charging a fee for dog entry seems like an easy solution; on its own charging a fee does not directly solve any problems. A fee most likely will not change behavior to achieve the desired outcome. A fee could negatively change behavior (ex. if the opinion of the visitor is they are entitled to additional rights and services that come with the fee). Charging a fee for dogs is a solution for increasing revenue. The Parks Commission continues to table this idea until there is a need to increase revenue.
- 4) All solutions discussed by the Parks Commission are presented in Appendix I
- 5) Assessment of the issues could already be outdated. During the year a new full time Animal Control Officer was hired and enforcement of the existing rules has increased significantly.
- 6) Due to the fact most incidents are not recorded by the police department, the Parks Commission would like to see the process for reporting and record keeping of incidents improve. Data can be analyzed to track repeat offenders and confirm if solutions are working or not.
- 7) The Parks Commission is curious if having a formal Park Manager would allow for more effective data collection, knowledgeable analysis of information, and informed opinions resulting from constant on site presence.
- 8) After discussions with DPW, Town Manager, Police Chief, and Conservation Commission it is a concern that the two issues presented in this report exist at other parks in Kittery. Any changes made to restrict dog presence at Fort Foster and Seapoint beach could expand these issues at other town parks.
- 9) Volkswagen tested an initiative called Fun Theory and it was determined that making tasks "fun" changed behavior and resulted in more people doing the right thing. An example included stairs that played music and resulted in a 66% increase in people taking the stairs even though next to an escalator. Where appropriate, this should be considered when implementing solutions. Ideas like trash cans that sound like they are bottomless or an incinerator that power a light are proven to have better result if the desire is to change behavior.

APPENDIX A

Maine Law:

Title 7, §3911. Dogs at-large

It is unlawful for any dog, licensed or unlicensed, to be at-large, except when used for hunting. The owner or keeper of any dog found at-large is subject to the penalties provided in this chapter. [1999, c.254, §3 (AMD)].

- **At large:** means off the premises of the owner and not under the control of any person whose personal presence and attention would reasonably control the conduct of the animal.
- **Dog:** means a member of the genus and species known as canis familiaris, except that in chapters 720, 721, 725, 727, 729 and 739 "dog" means a member of the genus and species known as canis familiaris or any canine, regardless of generation, resulting from the interbreeding of a member of canis familiaris with a wolf hybrid.
- **Keeper:** means a person in possession or control of a dog or other animal.
- **Owner:** means a person owning, keeping or harboring a dog or other animal.

APPENDIX B

Kittery Town Code

§6.1.12 Running at large prohibited.

No dog is permitted to run at large within the limits of the Town; however, this section does not prohibit the owner of a dog from using such dog for hunting, provided the dog is under the control of its owner.

§ 6.1.1 Definitions.

AT LARGE

Off the premises of the owner, unless:

A. Controlled by a leash, cord or chain of not more than eight feet in length;

B. Within a vehicle or under restraint in an open vehicle being driven or parked on a public way;
or

C. Under the control of a person whose personal presence and attention would control the conduct of the dog.

§6.1.0 Conflict with other laws.

If in conflict with any section of this chapter, the provisions of Chapter 12.4 (Seapoint/Crescent Beaches) or Chapter 12.5 (Fort Foster) will apply.

APPENDIX C

Fort Foster

§ 12.5.1 Animals.

With the exception of dogs, no domestic animals are allowed in Fort Foster Park, and dogs are subject to the following conditions:

A. Dogs must be leashed at all times during park hours (10:00 a.m. to 8:00 p.m.) on weekends in May and September and every day from Memorial Day to Labor Day, inclusive. A maximum leash of eight feet is allowed.

B. While under control of the owner or keeper, dogs are also allowed in the park during the following days and times:

(1) During weekdays, prior to Memorial Day in May;

(2) Before park opening (sunrise to 10:00 a.m.) between Memorial Day and Labor Day;

(3) During weekdays, after Labor Day in September; and

(4) Between sunrise and sunset from October 1 to April 30, inclusive.

C. A "pooper scooper" rule is in effect for dogs. Owners or keepers must take their dogs' solid waste with them when leaving the park.

APPENDIX D

Seapoint and Crescent Beaches

§ 12.4.5 Littering.

No person may throw, drop, deposit, discard or otherwise dispose of litter within Seapoint and Crescent Beaches except in a litter receptacle.

§ 12.4.8 Animals.

A. No domestic animal is allowed within Seapoint or Crescent Beaches, except that dogs, while under the control of their owner or keeper, are allowed on Crescent and Seapoint Beaches at times other than between the hours of 10:00 a.m. to 5:00 p.m. from June 15 through September 10 of each year. This limitation does not apply to guide or seeing eye dogs when used as such. At no time may the owner or keeper of any dog allow that dog to run at large on Crescent or Seapoint Beaches or enter upon any publicly owned salt marsh immediately adjacent to Seapoint or Crescent Beach. From May 15 to September 30, inclusive, only dogs licensed to Town residents are allowed on Seapoint and Crescent Beaches.

B. A pooper-scooper rule is in effect for dogs. Owners and keepers must properly dispose of animal waste either by placing it in supplied receptacle(s) or, if one is not supplied, by taking it with them when leaving the beaches.

APPENDIX E

Current Situation:

- 1) The existing text explaining the rules is complicated and not easy to find. Councilor Denault recently summarized the complexity of the existing rules at Fort Foster and Seapoint Beach. The Parks Commission believes the way the rules are written is hard for the average citizen to understand and a "street lingo" interpretation of the rule is what is spread. What is "believed" to be the rule is not always the rule. The ACO is working on updating ordinances pertaining to Fort Foster, Seapoint Beach, and dogs. The Parks Commission supports the idea to re-write the rules to be more clear and re-locate these rules to a more centralized location. Current ordinances/rules - Appendix A, B, C, D. An example of a clear definition to voice control is in York's dog ordinance - Appendix G.
- 2) There is a disconnect between reported incidents and actual incidents.
 - a. Information on the reporting procedure and actual number of incidents on record has not been received, but told to be minimal
 - b. Parks Commission is told stories of violations that found to be not reported (not sure why).
 - c. Not all incidents reported to DPW are not recorded by Police Department
 - d. The follow up procedure to complaints is not known
 - e. Parks Commission believes new ACO has made a difference

- 3) Written complaints, the Parks Commission is aware of, averages ~2/month. The number received by DPW and PD have not been received.
- 4) There is increased use of dogs at Fort Foster during park hours. Dogs accompanying daily paying visitors has been stagnant. Increase dog use is being recorded accompanying annual pass holders.

Dog use at FF data – Appendix F

- 5) There is a connection between Fort Foster, Seapoint Beach and other Town Parks. Through meeting with the Conservation Commission and Town Manager, similar problems exist in most town parks.

Notes from meeting with Conservation Commission - Appendix H

- 6) Different problems are present at different times.
- 7) Dog waste being left on the ground happens to some extent where-ever dogs are allowed.
- 8) The Parks Commission has received more positive feedback and noticed less violations. since Friends of the Fort has prioritized the initiative of self-policing. Friends of the Fort is helping educate visitors of the rules added positively to the experience of visitors to Fort Foster and Seapoint Beach.
- 9) It is the view of the Parks Commission that there is increase of dog use when the park is closed. There is no extensive data to support this, but with the knowledge of neighboring towns restricting dogs to leashes or closing areas to dogs all together; discussions with citizens and the Conservation Commission; and the data showing an increase of use while the park is open; it is a reasonable assumption to make. The only hard data is DPW's log of observations from 9/28/19 (2hrs before opening) are in Appendix J
- 10) ~43% of public respondents to survey Appendix K noted enforcement as the #1 solution. With new proactive enforcement, this should be monitored and evaluate the progress over the next two year.
- 11) ~30% of public respondents to survey Appendix K thought designating days/times for dogs is #2 solution. This is the rule at Seapoint Beach. With new proactive enforcement, this should be monitored and evaluate the progress over the next two year.
- 12) ~1% of public respondents to survey Appendix L thought Fort Foster's cleanliness is below average or poor.
- 13) ~29% of public respondents to survey Appendix L thought dog waste was a problem at Fort Foster
- 14) ~28% of public respondents to survey Appendix L thought dogs off leash when gate is open was a problem at Fort Foster
- 15) ~26% of public respondents to survey Appendix L thought dogs off leash when gate is closed was a problem at Fort Foster
- 16) ~20% of Fort Foster Visitors use the park with a dog Appendix F, L

APPENDIX F
Fort Foster Gate Attendance Records

Season	Dogs	Pass Holders with Dogs	Total Dogs during park hours
2015	2222	2604	4826
2016	2185	2435	4620
2017	2963	2892	5855
2018	2691	3087	5778
2019	2625	4016	6871

2019 adults
and children 33,829

APPENDIX G

York Town Dog Ordinances

- <https://www.yorkmaine.org/DocumentCenter/View/706/Animal-Control-Ordinance-PDF>

Voice control definition: **VOICE CONTROL:** as used in this ordinance, the term "voice control" means that the dog returns immediately to and remains by the side of the responsible party in response to the responsible party's verbal command. If a dog approaches or remains within 10 feet of any person other than the responsible party, that dog is not under voice control and a violation of this Ordinance occurs unless such person has communicated to the responsible party by spoken word or gesture that such person consents to the presence of the dog. In the case that such person approached by a dog is a minor child, an adult must be present with the child to consent to the presence of the dog.

APPENDIX H

Summary of conversation had between PC and KCC Monday 3/4/19. Open discussion about dogs.
In no particular order

OBSERVATIONS

- There is an increased number of dogs in Kittery parks now to the fact that so few towns (to the south in New Hampshire and north in Maine) in our area that are allowing dogs off leash on town owned property and many towns have closed their dog parks. This is causing unfair and uncontrolled off leash dogs in Kittery parks which are leading to more and more unwanted contact with dogs as well as dog waste.

ROGERS PARK

- Dog waste #1 problem
- Dog bites are not being reported

- Voice control is “stupid”
- No town staff cleanup
- Kittery daycare/school programs see violations (poop is the most)
- Out of town residents are coming to Kittery
- People “forget” to take their poop bags
- People are not using open spaces because dog being off leash and poop
- Dogs are territorial, when let off leash they run from their owners
- No way to have off leash areas differentiated in the park
- Poop was not even talked about 20yrs ago, now biggest problem and not improving

FORT FOSTER

- Owners with dogs off leash are ones that tend to not pick up poop because they don’t watch dogs
- Dog bites are not being reported
- DPW pickup poop if seen?
- Enforcement is needed
- Dogs off leash bother dogs on leash
- Poop been good
- \$ lost during off hours
- Most poop violators are during off leash

RACHEL CARSON

- No dogs allowed and enforced with \$100 fine

TOWN FARM

- Most people not aware it is an unmarked cemetery

JOHN PAUL JONES

- Grass was not mowed for a while because too much poop

INITIAL BRAINSTORMING ON ALL POSSIBLE SOLUTIONS

- Town wide leash law in public place
- Enforcement
- Don’t want 100% ban
- Improve police reporting process
- Poop receptacles
- Better advertisement what to do if there is an incident
- Incinerator
- Emergency call boxes
- Trash cans
- Make mandatory policy to report dog bites
- Significantly large fines
- Dog parks
- Restrict parking to residents to decrease # of dogs
- Require dog passes with DNA samples -mandatory Dog Walking Permit that must be visible/on display at all times (worn as a necklace) while dog walking on town owned property – (on or off leash); the cost of the permit would include

the cost of a dog DNA test, would have the owner's name, address and phone number along with the dog's name and the dogs photo. The permit would be issued only to licensed dogs. 1st offense is a fine; 2nd offense the fine is doubled and loss of permit. The permit would list all dog walking/pet waste rules. The cost of the Dog Walking Permit for Kittery residents should cover the of cost filing, holder, necklace, dog DNA test and any other associated costs. Nonresidents should pay a higher fee. This along with fines should help with the cost of enforcement.

- Dog owners need to prove to ACO voice control
- Dogs on leash at all times
- Dogs banned during park hours
- Dog pass with id card to prevent being anonymous. Scanner to show when dog was there
- Separate areas for dogs vs no dogs vs dogs on leash
- Signs, erected on town owned property, instructing visitors on how to report unwanted contact with dogs, dog attacks, any other dog related issues and should include a phone number and address of police station

TO DO's

- Collect data on poop at cleanups
- Collect data on complaints
- Collect data on police reports
- % of dogs actually under voice control (talk to vets/trainers)
- Determine an acceptable level or violations/poop
- Public view of a leash law with enforcement
- Most common situations that result in violations:
 - Ex. Dog gets excited when getting out of car, runs away, poops, all while parents are trying to get kids out of car)

APPENDIX I

All ideas discussed by Parks Commission

FF / SB	Idea	PROs	CONs	PC opinion
Both	➤ Clarify and update ordinances and rules	New ACO is working on recommendations to enforce rules more effectively. Terms (like voice control) are too subjective and should be defined.	motivation to update. Commitment to enforce	like the information shared thus far (like limiting the number of dogs/owner). Overall PC support the action and will rely on the police department for recommendations. Will provide input as needed
Both	➤ Signs, posting rules, instructing visitors on how to report any dog related issue. Include a phone number and address of police station	easy to implement. Increases education. Removes excuse of "didn't know the rule". Makes easier to report incidents	might be ignored	Actively discussing the idea. Working on a recommendation. Experience of PC member who was bit by dog and didn't know what to do
Both	➤ Improve reporting process of infractions	low cost. Improves ability to monitor progress and analyze trends. More data answers question of perceived problem vs actual problem	time of PD and staff developing and implementing new procedures	not a direct solution, but collecting data allows analysis to see if issues really exist and if solutions are working. After discovering a disconnect on how incidents were recorded and followed up on DPW and PD have already made improvements. PC continues to support making the process easy and non-threatening for visitors to report issues.

Both	➤ Separate areas for dogs vs no dogs vs dogs on leash	confines the problems. Allows for socialization of dogs. Allows for variety of visitors to have a pleasant experience at the same time.	problems will most likely still exist. Could result in unfavorable environmental issues	could be effective
Both	➤ Designate different hours of use when the park is closed (ex. on-leash, off-leash and/or dogs prohibited)	allows visitors who are uncomfortable with dogs off leash or dogs at all to enjoy the park when closed. Preliminary discussion was favorable to both dog owners and non-dog owners	logistics and enforcement	like the idea. Favored solution in 2016 public survey results. Will continue to discuss. Seems like a good compromise.
Both	➤ Designate areas/locations for on-leash, off-leash and/or dogs prohibited.	allows visitors who are uncomfortable with dogs off leash or dogs at all to enjoy the park when closed.	logistics and enforcement	Favored solution in 2016 public survey results. Having the first part of the entranced road be leased at all times might help reduce waste at the gate. Will continue to discuss.
Both	➤ Dog waste stations	cost is cheap to install (~\$250). Disposing of waste on site should result in less waste being left on ground	Need someone to empty regularly. Would increase amount of waste left at the park	like the idea if someone will empty
Both	➤ Dog owners need to prove to ACO voice control	addresses situations before it is a problem. Does not leave open for interpretation of owner	time on ACO part. Development of testing. Penalty for non-compliance? Possible inconsistency of dog behavior	like the idea, but might not be a deterrent b/c not all owners call their dogs back.
FF only	➤ Define parking outside the gate	Already in place at Seapoint Beach. Focuses on after hours, when park is closed. Requires easier enforcement than other ideas. Can favor Kittery residents or FF passholders with prime spots. Could reduce number of non-residence by designating non-resident spots	implementation and logistics need to be worked out.	Not a direct solution. Actively discussing the idea. Working on a recommendation. Seeing it has many benefits.

Both	➤ Do Nothing	Enforcement of rules has improved. Recommendation of rule changes coming from new ACO after which current rules are adequate	Delay in action if problems persist	Knowing the ACO continues to be proactive, this is a viable solution right now. After updating, the Parks Commission feels that rules well enforced could create meaningful change.
FF only	➤ Restrict dog use to resident only	Makes rules consistent as this is already the rule at Seapoint Beach	Possible lower attendance/revenue from non-residents. Needs enforcement.	Doesn't seem to be effective at Seapoint. Might be impractical without a dedicated officer on site at all times
Both	➤ Town wide leash law in public place	addresses all issues. uniform law makes enforcement easy. Immediate. Prevents moving the problem from FF and Seapoint to other town parks	most likely will not solve problem 100% as people will still unknowingly or knowingly still violate the rule. (ex. cutting the fence at FF)	sees this as a solution better than banning dogs
Both	➤ Increase Enforcement	additional enforcement directly solves the issue. Catch offenders when ACO is not present	cost and hiring challenges. New ACO has just had one season and feeling is it is making a difference.	The Parks Commission feels that existing rules well enforced could create meaningful change. Will continue to evaluate
Both	➤ Hire waste cleanup service	could result in more waste knowing someone else has been hired to pick it up	cost was expensive if DPW did it. Initial inquires have not resulted in any third party companies being interested	like idea if we can find someone to do it. Other town programs could be a resource
FF only	➤ Incinerator	could turn disposing waste into something educational and fun (ex maybe power a street lamp). Disposing of waste on site should result in less waste being left on ground	Cost - quote from GEIWorks range \$35K-\$200K. Do not know what we do not know.	cost is biggest deterrent

Both	➤ Emergency call boxes	Allow for easily reporting of issues, when they happen. Provides ability to report incidents when park is closed or if there is no cell reception. Can be connected directly to PD and/or gatehouse	cost - quote range from \$2600-\$4800. might not be viewed as important since new ACO has begun patrolling regularly. Would need fixed location. Aesthetics could be unappealing. Could waste time dealing with false alarms	not a direct solution. allows a method to collect data to see if issues really exist and if solutions are working, Using a cell phones are more efficient. Visitors could generally feel safer knowing call boxes are around, especially when park is closed. Previous conversations with Town Manager have resulted in the opinion that there are other priorities to spend money on. If money is no object the Parks Commission likes the idea.
Both	➤ Trash cans	Disposing of waste on site should result in less waste being left on ground. Trash at Seapoint is enough of an issue where private citizens provided and emptied receptacles	removal of trash requires time and staff. Collects trash not just dog waste.	dog waste only receptacles are better than trash cans unless desire is to tackle trash pickup also
Both	➤ Make policy requiring it mandatory to report dog bites	allows for better tracking to analyze problem. Removes emotional conflict on victim to sympathize with offender	probably not going to be 100% followed.	don't like this. Viewed as impractical
Both	➤ Significantly large fines	thought large fines are more of a deterrent.	police chief thought more likely to not be paid	default to police department for opinion
Both	➤ Require dog to have DNA samples	People found guilty pay fine and costs. Studies show 95% drop in owners not picking up after waste.	Biopet cost \$40 for DNA sample and log in companies registry. \$70 for waste sample to be processed with Biopet kit. Needs to be mandatory maybe during licensing. Enforcement.	non resident/visiting dogs will not be in database. Too easy to subvert.

Both	➤ Dogs on leash at all times	solves both problems (PC believes information that owners are more likely to pickup dog waste when in presence of owner)	doesn't allow dogs to get exercise and enjoy their life in Kittery. Strong opinions/voices in opposition (as seen on social media). High probability of passionate negative impact.	known to be supported by some dog owners and not supported by others. Thought to try other options first
Both	➤ Dogs prohibited during park hours	solves both problems	could result in lower attendance/revenue. Strong opinions/voices in opposition (as seen on social media)	don't want to happen. Believe high probability of people that care about his issue do not want this to happen.
Both	➤ Dog pass with id card to prevent being anonymous. Scanner to show when dog was there	creative	infrastructure is complicated. Investigation and follow up is required.	does not solve problem, just narrows potential offenders if a problem occurs
FF only	➤ Charge Dog fee at gate (Daily Visitors Only)	Discourages one person bringing a lot dogs. Encourage buying a season pass. Adds revenue. Does not need additional enforcement.	visitors could feel this is direct discouragement to allowing dogs. Result in possible feeling that dogs have right to be in park rather than dogs are privileged. Might be hard to reverse or restrict dog use in future. Logistics need to be figured out on how to implement. Could be premature if discussion is needed to restrict dogs. Dog attendance with daily visitors has been stagnant. Could slow entrance line at gate. Connection is not direct on how this would solve either issue presented. Increasing revenue, on its own, does not solve problem	provides funding for a solution, not a direct solution

FF only	➤ Charge Dog fee at gate (everyone)	charge for dogs. Discourages one person bringing a lot dogs. # of dogs continues to increase. Does not need additional enforcement.	visitors could feel this is direct discouragement to allowing dogs. Result in possible feeling that dogs have right to be in park rather than dogs are privileged. Might be hard to reverse or restrict dog use in future. Logistics need to be figured out on how to implement. Could be premature if discussion is needed to restrict dogs. Could slow entrance line at gate. Increasing revenue, on its own, does not solve problem	provides funding for a solution, not a direct solution
FF only	➤ Have resident dog season pass fee	provide cost effective option for residents. Collects revenue from visitors after hours	visitors could feel this is direct discouragement to allowing dogs. Result in possible feeling that dogs have right to be in park rather than dogs are privileged. Might be hard to reverse or restrict dog use in future. Logistics need to be figured out on how to implement. Needs enforcement. Increasing revenue, on its own, does not solve problem	provides funding for a solution, not a direct solution
FF only	➤ Have non-resident dog season pass fee	cost effective option than paying daily entry. No change for Kittery residents. Strives for lower attendance of non-resident dogs. Collects revenue from visitors after hours	visitors could feel this is direct discouragement to allowing dogs. Result in possible feeling that dogs have right to be in park rather than dogs are privileged. Might be hard to reverse or restrict dog use in future. Logistics need to be figured out on how to implement. Needs enforcement. Increasing revenue, on its own, does not solve problem	provides funding for a solution, not a direct solution

FF only	➤ Initiate Dog passes for after hours (residents/non-residents)	potential big revenue source	visitors could feel this is direct discouragement to allowing dogs. Result in possible feeling that dogs have right to be in park rather than dogs are privileged. Might be hard to reverse or restrict dog use in future. Logistics need to be figured out on how to implement. Could be premature if discussion is needed to restrict dogs. Needs enforcement. Increasing revenue, on its own, does not solve problem	provides funding for a solution, not a direct solution
FF only	➤ Initiate resident Dog passes for after hours	potential big revenue source	visitors could feel this is direct discouragement to allowing dogs. Result in possible feeling that dogs have right to be in park rather than dogs are privileged. Might be hard to reverse or restrict dog use in future. Logistics need to be figured out on how to implement. Could be premature if discussion is needed to restrict dogs. Needs enforcement. Increasing revenue, on its own, does not solve problem	provides funding for a solution, not a direct solution
FF only	➤ Initiate non-resident dog passes for after hours	potential big revenue source	visitors could feel this is direct discouragement to allowing dogs. Result in possible feeling that dogs have right to be in park rather than dogs are privileged. Might be hard to reverse or restrict dog use in future. Logistics need to be figured out on how to implement. Could be premature if discussion is needed to restrict dogs. Needs enforcement. Increasing revenue, on its own, does not solve problem	provides funding for a solution, not a direct solution

APPENDIX J

DPW Survey from 8-10am on Saturday 9/28

- Between 8am and 9am – 73 adults and 38 dogs
- Between 9am and 10am – 95 adults and 52 dogs

APPENDIX K

Excerpt from Summary of Public Input Survey of “Burning Issues” 6/30/16

Question 4 DOGS ON THE BEACH - *Reportedly many Kittery dog owners bring their dogs to the beach and some, do not clean up after their pets. During summer months this is exacerbated because some people are also made uncomfortable when dogs are on the beach while they are swimming, sunbathing, and/or picnicking .How do we strike a balance between dog owners desire to bring their dog to the beaches and the desire of others for clean and peaceful beaches?*

Responses Date

1 It seems like there already is balance, as I believe dogs are not allowed on the beach during the day in the summer. There should be steep fines for owners that do not clean up after their dog, and this should be strongly enforced by KPD.

6/28/2016 10:29 AM

2 dogs are only allowed during certain hours during peak summer days--that covers those 'uncomfy' people. as for picking up dog poo? ticket them. heavily. And, make the beaches in Kittery for residents only.

6/28/2016 9:54 AM

3 Just enforce clean-up policy. People generally love well behaved dogs. 6/24/2016 3:54 PM

4 The privilege of bringing dogs to the beach should be only for kittery residents. currently ever dog walker in the seacoast uses these beaches. there should be beaches designated for dog walking and others that are off limits to dogs. A beach area at fort foster would be the best for May through september as this would ensure that the owners are kittery residents (passes) and/or they have paid for the privilege with a pass. this would keep other beaches cleaner and safer for swimmers. It is too unpleasant to be in the water and have a dog defecating in your eyesight!

6/24/2016 11:58 AM

5 I think dogs should be on a leash at all times on the beach. Maybe a committee of committed people that will keep the beach clean regardless of who's dog crap it is to help. Maybe a beach Ranger to make sure rules are followed

6/24/2016 10:56 AM

6 Create seasonal times for pets at the beaches...for example, in the summer, beaches could be off limits from 7 am to 7 pm. Enforcement is the issue...perhaps volunteer patrolling scouts to politely remind owners about rules?

6/23/2016 6:42 PM

7 Proper signage, trash cans and doggie waste bags go a long way. Enough with the rules as restricting access to seapoint is a narrow minded solution. Deal with problem, don't just close eliminate access and cater to the vocal minority. Certain everyone in Kittery uses the resources of the greater Seacoast community (parks, beaches, etc.) yet we don't want to share our own

6/23/2016 5:35 PM

8 Have a beach just for dogs, it is important they have a space to play and run, if people do not like dogs they obviously have issues

6/23/2016 4:39 PM

9 Charge violators either via fine for not picking up or animal control people prohibit certain dogs/owners who are unsafe from using facilities. Really an enforcement problem, nothing else.

6/23/2016 4:27 PM

10 Enforcement. More of it. I can say almost every time I go to beach do g owners are disregarding the time they can be there, disregarding leashing them, and not cleaning up. This Saturday was my latest with witnessing this

6/23/2016 4:09 PM

11 **Already done** - the times dogs are allowed already corresponds to beach usage. 6/23/2016 2:14 PM

12 Establish fines for people caught not cleaning up after their pets. Put **trash cans** along the beach to make it easy for people to throw away stuff. Do a **three strike policy**. After a certain amount of non clean up, close the beach to dogs and explain why.

6/23/2016 1:51 PM

13 I **don't think dogs should be allowed on beaches during summer**. It is unfair to too many people, especially children and elderly. There are plenty of other places where dogs are welcome, and they can use the beach other times of year.

6/23/2016 10:04 AM

14 **no dogs on the beaches from 9 to 5 during the summer**. Dogs should be leashed as people do not really control the dogs. **Enforce** those that do not pick up after their animals

6/22/2016 2:17 PM

15 I have been told by police that there is a NOT a scoop law in Kittery. I inquired about this because specific dogs always use my yard as a toilet and I watch the owners walk away. FINES - strictly **enforced** as well as dog tags are all income producers to the town & create a more friendly environment.

6/21/2016 8:29 PM

16 Dogs should **NOT be allowed on the beaches**. Period. 6/21/2016 2:31 PM

17 inflict a overly absurd fine for not cleaning up after your dog. Then strongly **enforce** to make sure word gets out there. As far as beach time, **set early morning and early evening times for dog use times**.

6/21/2016 6:29 AM

18 **Limit the areas of the beach** where dogs can be walked. Many dog walkers are coming from nearby towns that don't allow dog walking on the beach, so our restrictions should mirror portsmouth and york.

6/20/2016 3:56 PM

19 Again, it comes down to respect. If dog owners are not respectful of non-dog lovers (similar to parents recognizing that children are a choice not made by all), then rights should be curtailed. The **town should establish very clear and readily available policies (posted clearly at all locations)** and the dog community should self-police for compliance, recognizing that non-compliance will be met by a curtailing of these rights.

6/20/2016 9:56 AM

20 **Enforce** cleanup and have designated clean up days. Everyone here has dogs. Let's all be mindful. During daytime hours, leash law. Easy peasy!

6/19/2016 9:29 AM

21 Not many beaches allow dogs and i think it is **nice to see one that does allow them**. In other towns dogs are allows on beaches Sept 15 - May 15, **not in the summer** when most populated with people. Or, dogs could have a **sectioned off part of the beach**. I **don't** think we should ever do what Portsmouth did in Prescott Park and **ban dogs** altogether.

6/17/2016 1:50 PM

22 Dogs should be **leashed at all times** when fort foster is open to cars, everywhere inside the park. We do not have bad dogs, we have irresponsible owners and they should be fined. The rules are on the books, the town needs to figure out **enforcement**. A few tickets given out will scare the masses into picking up their dog poop and leashing their dog.

6/16/2016 9:10 PM

23 dogs should be on a **leash** and any owner who does not clean up should be fined 6/16/2016 5:40 PM

24 fine irresponsible dog owners that don't clean up after their dog and that don't obey the leash laws. Don't we have **certain hours** that unleashed dogs are allowed and the rest of the time they must be leashed? **Follow through with the already existing rules!**

6/16/2016 2:58 PM

25 These **dog friendly beaches are really important** to the community and they should not be altered to meet the needs of those who don't appreciate dogs. That said, we need to strike a balance. Ensure animal **enforcement** laws

during dog prohibited times at local beaches could help. The dog poop issue is trickier, but again could come down to enforcement.

6/16/2016 12:14 PM

26 If this is indeed a problem, a not a matter of a few upset citizens, it seems that the **restriction** of animals on the aforementioned areas is the only way to achieve what you are asking. **That however, also seems to be a disservice the greater community.**

6/16/2016 11:10 AM

27 Put doggie bag stations in places where people walk their dogs. If they don't pick up after their animals, fine them. 6/16/2016 7:24 AM

28 Dog owners need to be responsible. Leashes and careful watching of pets is important. We will lose our right to bring dogs to beach if we are not responsible. No one wants to step in dog waste or be jumped on. I support **restricting the hours they are allowed on the beach.**

6/15/2016 6:07 PM

29 I personally am not a fan of dogs on the beach. I see a lot of out of town cars and the beach is overrun by dogs. I feel we should limit dogs to the **morning** hours only.

6/15/2016 4:31 PM

30 keep all dogs on a **leash** 6/15/2016 3:29 PM

31 Install 'poop' bag stations which will help remind owners to clean up after their pets. 6/15/2016 3:01 PM

32 I think the current situation of **allowing dogs only during certain hours** strikes a good balance. Perhaps installation of dog bag dispensers with signage urging people to clean up and report others who do not.

6/15/2016 2:28 PM

33 There are NO BAD DOGS. Just self centered, arrogant, selfish owners. The Dogs will loose because of a few.

6/15/2016 8:54 AM

34 Have a **dog park** at the beach. 6/15/2016 8:34 AM

35 I think the evening hours **system works well now**, although it's not perfect. Perhaps more **signage** at Sea Point with "rules for dogs". I've had been ask me "do you live in this town" because I was annoyed by dogs diving into an evening picnic.

6/15/2016 8:30 AM

36 Again, **limit locations and/or times.** 6/15/2016 12:14 AM

37 Adopt the existing regulations in neighboring towns such as York, New Castle, Rye, Ogunquit, Wells, and Hampton Beach.

6/14/2016 10:36 PM

38 **Restrict the dogs allowed times to early mornings and late afternoons.** Cleaning up after your dog needs to be enforced. The **police** or dog officer needs to get out of their car and walk these areas. People see the car and control their dogs so walking may allow a better result

6/14/2016 9:13 PM

39 We need more **enforcement** period. Good dog owners, who pay taxes like everyone else, should not be punished or unreasonably restricted because of bad actors. Issue tickets to violators. And Kittery needs its own **dog park**. I do not bring my dog to the beach often because I take him to Portsmouth to socialize with other dogs. But it is not fair to Portsmouth...I am a tax payer in Kittery and I want my town to have its own park.

6/14/2016 4:32 PM

40 We have rules that work - those rules need to be **enforced.** 6/14/2016 8:29 AM

41 I think that the **current** early morning/early evening daily time windows "in season" allowing dogs on our beaches is a **fair balance.** What to do about "some people" who do not cleanup is always a going to be a problem. Fortunately, they are very few in number. If witnessing a slacker in this regard, talk to the guilty dog owner.

6/14/2016 7:39 AM

42 **Designate certain times that dogs are permitted.** 6/13/2016 12:58 PM

APPENDIX L

Excerpts from Parks Commission 2018 Fort Foster Survey

Q2 Who was TYPICALLY WITH YOU when you visited Fort Foster in the PAST YEAR?

Dog(s)	20.92%
	164
TOTAL	784

Q6 How would you RATE Fort Foster on the following?

	Very poor	Below average	Average	Above Average	Excellent	N/A	Total	Weighted Average
Cleanliness	0.13% 1	1.03% 8	13.21% 103	36.41% 284	48.21% 376	1.03% 8	780	4.33

Q8 How would you DESCRIBE the following CONDITIONS at Fort Foster?

	Problem	Neutral	Not a problem	N/A	Total	Weighted Average
Dog waste	28.57% 222	26.00% 202	40.80% 317	4.63% 36	777	1.87
Dogs off leash when the gate is open	27.78% 217	22.66% 177	42.00% 328	7.55% 59	781	1.85
Dogs off lease when the gate is closed	26.09% 204	18.93% 148	46.80% 366	8.18% 64	782	1.77