



ANIMAL CONTROL WORKING GROUP
JANUARY 4, 2021
5PM
AGENDA

1. Overview of Parks Commission Experience
2. Review Existing Dog Regulations
3. Example Dog Regulations from Other Communities
4. Review Issues Matrix
5. Next Steps
 - a. Action Items
 - b. Next Meeting(s)

The public may view the meeting via Zoom webinar. **Register in advance for the webinar at https://us02web.zoom.us/webinar/register/WN_D_vziNIHTxiVJgaApXutFg**

Due to the Declaration of a State of Emergency for the State of Maine and Town of Kittery, this meeting will be held remotely in accordance with LD 2167.



ANIMAL CONTROL WORKING GROUP

DECEMBER 9, 2020

MINUTES

DRAFT

Meeting was held via Zoom.

In Attendance: Councilor Judy Spiller, David Wrocklage (Parks Rep), Michael Johns, Mary Thron, Ryan Bailey, Kim Miller, Sally Soule, Kit Grimm, Kendra Amaral (Town Manager), Chief Robert Richter (Police), Officer Robert Byrnes (Animal Control Officer)

1. Introductions

- Judy will lead the group.

2. Develop Objectives

- The objectives are not to ban dogs or to allow dogs to run free at all times.
- Whatever is developed must be fair, consistent, and enforceable.
- The timeline is relatively open ended, though the goal is to have something in place by May ideally. This group will likely meet about a half a dozen times.
- External communication should be coordinated through Judy and Town Manager.
- The Working Group agrees an interim communication to the public and Council is needed and should focus on what is being worked on and gathering feedback.

3. Determine Timeline and Process

- Generally noted the background information provided to the Working Group.
- Kendra provided an overview of the Right to Know Law.
- Members discussed what they thought should be focus of their recommendations including dogs on leash, dog waste, and enforcement.

4. Next Steps

- Action Items
 - Sally and Kit will generate an “issues” matrix to help define what should be focused on and track how we propose resolving each issue.
 - Judy and Kendra will provide a summary of the rules including Titles 6 and 12 (already provided), Fort Foster rules, and Conservation rules.
 - David and Ryan will compile examples of animal control rules from other communities.
- Next Meeting
 - January 4 at 5PM via Zoom.

Title 6 Animal Control	
Definitions	<p>6.1.2.</p> <p>AT LARGE off premises of owner, unless:</p> <p>A. Controlled by a leash;</p> <p>B. Within a vehicle or under restraint in an open vehicle being driven or parked in a public way;</p> <p>C. Under voice control</p> <p>LEASH A cord or chain not more than 10 feet in length</p> <p>OWNER Any person keeping or harboring a dog or other animal</p> <p>PET Any animal domesticated to serve as a companion, excluding service dogs</p> <p>RESPONSIBLE PARTY Any person who has possession, custody, or control of an animal</p> <p>VOICE CONTROL An animal under control of the responsible party by voice command such that the animal returns immediately to the responsible party upon calling and remains by their side</p>
License Required	6.1.3. Proof of current dog license must be provided to the animal control officer upon request
Control on Public Property	<p>6.1.4.</p> <p>A. No pet allowed at large on any public property. Hunting, where allowed, is exempted provided dog is under voice control of its owner</p> <p>B. No dog allowed to have contact with any person, or any animal under control of a person, other than their owner or responsible party unless such person has communicated to the owner or responsible party by word or gesture, their consent to be approached by the dog.</p> <p>C. Owner must immediately collect and properly dispose of or secure feces left by their pet(s) in public parks. Owners or responsible parties must maintain possession of their pet's feces while on public property.</p> <p>D. No person may be a party for more than 3 dogs at any time while in a Town park.</p> <p>E. Dogs must be on a leash at all times when on public ways or sidewalks.</p>
Disposition of Dog Biting a Person	6.1.12. Whenever any dog bites a person, the owner of such dog must immediately notify the animal control officer, who may order the dog held on the owner's premises or have it impounded for a period of 2 weeks. The dog must be examined immediately after it has bitten any person and again at the end of the two-week period. If at the end of the 2 weeks a veterinarian is convinced that the dog is then free from rabies, the dog is released from quarantine or from the pound, as the case may be. If the dog dies within the period, the State Department of Health must be notified to perform a rabies examination.
Violations and penalties	<p>6.1.15 Any violation of this chapter will be assessed a penalty of \$50.00, except violations of §6.1.13 Disturbing the Peace will be assessed a penalty of \$50.00 for the first offense, \$100.00 for the second offense, and \$200.00 for each offense thereafter</p> <p>Repeat offenders and/or those who fail to pay fines in accordance with this Title may be issued a NO TRESPASS order for town parks for one year.</p>
Title 12 Parks	
Rogers Park	12.3.3C. Control of dogs is governed by Chapter 6.1 of the Code
Seapoint/Crescent	<p>12.4.8.B. Dogs allowed only under control of owner or keeper at times other than between the hours of 10 am to 5 pm from June 15 through September 10 of each year. Limitation does not apply to guide or seeing eye dogs when used as such. Dogs can't run at large on Crescent or Seapoint or on the public salt marsh immediately adjacent to Seapoint/Crescent. From May 15 to September 30, only dogs licensed to Kittery residents are allowed on Seapoint/Crescent.</p> <p>12.4.8.B. Pooper-scooper rule in effect for dogs. Owners/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 beach.</p>
Fort Foster	12.5.1. A. Dogs must be leashed at all times during park hours (10 am to 8 pm) on weekends in May and September and everyday from Memorial Days to Labor day inclusive. Maximum leash of 8 feet is allowed.
	<p>12.5.1.B. Under control of owner or keeper, dogs are allowed</p> <p>(1) during weekdays, prior to Memorial Day in May;</p> <p>(2) before park opening (sunrise to 10 AM) between Memorial Day and Labor Day;</p> <p>(3) during weekdays, after Labor Day in September; and</p> <p>(4) between sunrise and sunset from October 1 to April 30 inclusive.</p>
	12.5.1.C. Pooper-scooper rule in effect for dogs. Owners or keepers must take their dogs' solid waste with them when leaving the park.
Town Farm	12.7.3.C. Control of dogs governed by Chapter 6.1. Dogs must be on leash at all times unless under the control of owner or keeper. Service dogs excepted.

Summary Access	Dogs under Voice Control	Dogs On Leash	Dogs Prohibited
Fort Foster	(1) during weekdays, prior to Memorial Day in May; (2) before park opening (sunrise to 10 AM) 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. 12.5.1.B.	Between 10 am and to 8 pm weekends in May and September. Between 10 am and 8 pm everyday from Memorial Day to Labor Day 12.5.1.A.	
Seapoint/Crescent	Dogs allowed only under control of owner or keeper before 10 am and after 5 pm from June 15 through September 10. 12.4.8.D. Only dogs licensed to Kittery residents are allowed before 10 am and after 5 pm from May 15 to September 30 12.4.8.A		After 10 am and before 5 pm from June 15 to September 10 12.4.8.A
Rogers Park	No restrictions 12.3.3.C		
Town Farm	No restrictions 12.7.3.C		

Matrix of Topics to Be Addressed by Animal Control Working Group

Topic	Subtopics	Comments	Process Notes and/or Recommendations
Scope of review	<ul style="list-style-type: none"> • Title 6 • Title 12 • Parks and beaches 	<p>Limit to Fort Foster and Seapoint/Crescent?</p> <p>May want to discuss Rogers Park; it seems like there were some concerns voiced about usage there as well.</p>	
Preamble to title(s)	<ul style="list-style-type: none"> • Definitions • Statement of purpose/objectives • Statement of “philosophy of policy” • Consistency 	<p>Perhaps include something like: <i>“The town of Kittery is fortunate to be able to offer, to residents and non-residents and subject to certain restraints and advisories, the privilege of bringing dogs onto the magnificent [parks and] beaches owned and overseen by the town in recognition of the comfort, companionship, and well-being they are often able to bring to their owners. Owners and keepers (i.e., those with responsibility for dogs at any particular time) bringing dogs to Kittery’s [parks and] beaches are reminded, however, that the beaches are to be considered primarily for enjoyment by people, that they are repositories of nature and wildlife worthy of protection and preservation, and that all those making use of the venues are obligated to help ensure a safe, clean, and comfortable environment in exchange for the privilege of enjoying such natural resources, with dogs or without.”</i></p>	
Accessibility	<ul style="list-style-type: none"> • Days/dates/hours • Fees • Residents vs. non-residents • Tags/stickers • Licenses 	<p>Reinforcement of “privilege vs. rights”</p> <p>Fees to fund additional initiatives for management?</p> <p>Rules may need to vary based on location and pattern of use inherent to location.</p>	
Control	<ul style="list-style-type: none"> • Leashes • Voice • Off-leash • Owner/keeper obligations 		
Health and safety	<ul style="list-style-type: none"> • Waste • Environmental hazards • Harassment of wildlife • Approaching, charging • Reporting of violations 	<p>Keep on trails; watch for poison ivy</p>	

Matrix of Topics to Be Addressed by Animal Control Working Group

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Enforcement	<ul style="list-style-type: none"> • Fines • Citations • Patrols by ACO, police • Notification of park attendant and escalation 		
Communication	<ul style="list-style-type: none"> • Methods and methodology 	Simplified matrix design; info cards; signage; Weekly Sentinel; Seacoast Online; dog websites; informational “dog booths” on site; car windshield flyers; URLs; provide info. on regulations and owner responsibilities at time dog is licensed.	
Alternatives for management?	<ul style="list-style-type: none"> • Separate dog park • Sponsorships • Volunteers • Hiring of summertime ACO assistant 	<i>Separate dog park:</i> GoFundMe; donations; fees <i>Sponsorships:</i> allowed and vetted by the Town; local businesses preferred; for waste disposal and pickup, signage, informational materials <i>Volunteers:</i> designation; recognition; no law enforcement powers; advisory and informational <i>Summertime ass’t:</i> limited LE, “deputized,” full-time patrol	
Evaluation	<ul style="list-style-type: none"> • Effectiveness of efforts • Methods of data gathering • Incorporation of input • Identify evaluation measures and define success indicators? 	How often; timing; who responsible	