



City of Pleasant Ridge
23925 Woodward Avenue
Pleasant Ridge, Michigan 48069

**City Commission Meeting
October 13, 2015
Agenda**

Honorable Mayor, City Commissioners and Residents: This shall serve as your official notification of the Regular City Commission Meeting to be held Tuesday, October 13, 2015, at 7:30 p.m., in the City Commission Chambers, 23925 Woodward Avenue, Pleasant Ridge, Michigan 48069. The following items are on the Agenda for your consideration:

REGULAR CITY COMMISSION MEETING – 7:30 P.M.

1. Meeting Called to Order.
2. Pledge of Allegiance.
3. Roll Call.
4. PUBLIC DISCUSSION – items not on the Agenda.
5. 2015 Beautification Awards.
6. Consideration of establishing a public hearing on Tuesday, November 10, 2015 at 7:30 p.m., to solicit public comments on an ordinance granting to Consumers Energy Company, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to do a local gas business in the City of Pleasant Ridge, Oakland County, Michigan, for a period of thirty years.
7. Governmental Reports.
8. City Commission Liaison Reports.
 - Commissioner Perry – Planning and DDA
 - Commissioner Scott – Historical Commission
 - Commissioner Krzysiak – Recreation Commission
 - Commissioner Foreman – Committee Liaison
9. Consent Agenda.

All items listed on the Consent Agenda are considered to be routine by the City Commission, will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of these items unless a City Commissioner or visitor so requests, in which event, the item will be removed from the consent agenda and considered as the last item of business.

 - a. Minutes of the Public Hearing and Regular City Commission Meeting held Tuesday, September 8, 2015.
 - b. Monthly Disbursement Report.

- c. Resolution recognizing October as National Breast Cancer Awareness Month – Gilda Club.
 - d. Michigan Department of Transportation Annual Permit for Work on State Highways.
- 10. **Pleasant Ridge Recreation Commission Appointments.**
- 11. **Interlocal Cost-Sharing Agreement for the Woodward Neighborhood Bicycle Route Transportation Alternative Program (TAP) 2015 Project.**
- 12. **Update regarding Woodward Avenue/Main Street Test Project.**
- 13. **Update regarding Dangerous Dogs/Breed Specific Ban.**
- 14. **City Manager's Report.**
- 15. **Other Business.**
- 16. **Adjournment.**

In the spirit of compliance with the Americans with Disabilities Act, individuals with a disability should feel free to contact the City at least seventy-two (72) hours in advance of the meeting, if requesting accommodations.



City of Pleasant Ridge

Amy M. Drealan, City Clerk

From: Amy M. Drealan, City Clerk
To: Mayor and City Commission
Date: October 13, 2015
Re: 2015 Beautification Awards

Commissioner Foreman and members of the Beautification Committee will present the 2015 City of Pleasant Ridge Beautification Awards.

The 2015 Beautification Award winners are:

- 147 Cambridge
- 21 Norwich
- 19 Oakland Park
- 1 Sylvan
- 58 Amherst

Please feel free to contact me should you wish to discuss this matter further.



City of Pleasant Ridge

Amy M. Drealan, City Clerk

From: Amy M. Drealan, City Clerk
To: Mayor and City Commission
Date: October 13, 2015
Re: Consumers Energy Franchise Extension Ordinance

Overview

Consumers Energy provides natural gas services for the City of Pleasant Ridge. At this time, Consumers Energy is requesting an extension to its existing franchise.

The proposed ordinance would grant Consumers Energy the continued power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to do a local gas business in the City. The first step in approval of this ordinance is for the City Commission to schedule a public hearing to solicit comments on the ordinance. The City Attorney has reviewed and approved the proposed ordinance. The franchise Consumers Energy is working under currently is expiring. The ordinance for your consideration is a thirty year extension to the existing franchise. Approving this ordinance allows for this continued franchise.

Requested Action

The City Commission establish a public hearing for Tuesday, November 10, 2015 at 7:30 p.m., to solicit public comments on the proposed ordinance. The City Attorney and Ms. Ursula Warren, Area Manager for Consumers Energy will attend the meeting and can answer any questions you may have.

ORDINANCE NO. _____

CONSUMERS ENERGY COMPANY GAS FRANCHISE ORDINANCE

AN ORDINANCE, granting to CONSUMERS ENERGY COMPANY, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to do a local gas business in the CITY OF PLEASANT RIDGE, OAKLAND COUNTY, MICHIGAN, for a period of thirty years.

THE CITY OF PLEASANT RIDGE ORDAINS:

SECTION 1. GRANT, TERM. The CITY OF PLEASANT RIDGE, OAKLAND COUNTY, MICHIGAN, hereby grants to the Consumers Energy Company, a Michigan corporation, its successors and assigns, hereinafter called the "Grantee," the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges, waterways, and other public places, and to do a local gas business in the CITY OF PLEASANT RIDGE, OAKLAND COUNTY, MICHIGAN, for a period of thirty years.

SECTION 2. CONSIDERATION. In consideration of the rights, power and authority hereby granted, said Grantee shall faithfully perform all things required by the terms hereof.

SECTION 3. CONDITIONS. No highway, street, alley, bridge, waterway or other public place used by said Grantee shall be obstructed longer than necessary during the work of construction or repair, and shall be restored to the same order and condition as when said work was commenced. All of Grantee's pipes and mains shall be so placed in the highways and other public places as not to unnecessarily interfere with the use thereof for highway purposes.

SECTION 4. HOLD HARMLESS. Said Grantee shall at all times keep and save the City, and its elected or appointed officers, employees or agents free and harmless from all loss, costs and expense to which it may be subject by reason of the construction, maintenance and operation of the structures and equipment hereby authorized or any omission or any wrongful or actionable conduct of whatsoever kind or nature undertaken on the part of said Grantee, its agents, employees or representatives, pursuant, or in any way related, to the permission and/or authority granted herein. In case any action is commenced against the City, or its elected and appointed officers, employees, or agents because of any of the reasons enumerated in the immediately preceding sentence, said Grantee shall, upon notice, defend the City and/or its elected or appointed officers, employees or agents and save them free and harmless from all loss, cost and damage arising therefrom. However, this hold harmless section shall not apply to any losses, costs, damages, claims, liabilities, expenses, judgments, or proceedings arising solely out of the negligence of the City, its elected or appointed officers, its employees, its agents, or its contractors. Furthermore, in the event that any losses, costs, damages, claims, liabilities, expenses, judgments, or proceedings arise out of the joint negligence of the City, its elected or appointed officers, its employees, its agents, or its contractors, this hold harmless agreement shall not apply to the proportional extent of the negligence of the City, its elected or appointed officers, its employees, its agents, or its contractors.

SECTION 5. EXTENSIONS. Said Grantee shall construct and extend its gas distribution system within said City and shall furnish gas to applicants residing therein in accordance with applicable laws, rules and regulations.

SECTION 6. FRANCHISE NOT EXCLUSIVE. The rights, power and authority herein granted, are not exclusive. Either manufactured or natural gas may be furnished hereunder.

SECTION 7. RATES. Said Grantee shall be entitled to charge the inhabitants of said City for gas furnished therein, the rates as approved by the Michigan Public Service Commission, to which Commission or its successors authority and jurisdiction to fix and regulate gas rates and rules regulating such service in said City, are hereby granted for the term of this franchise. Such rates and rules shall be subject to review and change at any time upon petition therefor being made by either said City, acting by its City Commission, or by said Grantee.

SECTION 8. REVOCATION. The franchise granted by this ordinance is subject to revocation upon sixty (60) days written notice by the party desiring such revocation.

SECTION 9. MICHIGAN PUBLIC SERVICE COMMISSION, JURISDICTION. Said Grantee shall, as to all other conditions and elements of service not herein fixed, be and remain subject to the reasonable rules and regulations of the Michigan Public Service Commission or its successors, applicable to gas service in said City.

SECTION 10. REPEALER. This ordinance, when accepted and published as herein provided, shall repeal and supersede the provisions of a gas ordinance adopted by the City Commission on December 10, 1985 entitled:

AN ORDINANCE, granting to CONSUMERS POWER COMPANY, its successors and assigns, the right, power and authority to lay, maintain and operate gas mains, pipes and services on, along, across and under the highways, streets, alleys, bridges and other public places, and to do a local gas business in the CITY OF PLEASANT RIDGE, OAKLAND COUNTY, MICHIGAN.

and amendments, if any, to such ordinance whereby a gas franchise was granted to Consumers Energy Company.

SECTION 11. EFFECTIVE DATE. This ordinance shall take effect upon the later of 15 days after enactment or publication thereof; provided, however, it shall cease and be of no effect after thirty days from its adoption unless within said period the Grantee shall accept the same in writing filed with the City Clerk. Upon acceptance and publication hereof, this ordinance shall constitute a contract between said City and said Grantee.

We certify that the foregoing Franchise Ordinance was duly enacted by the City Commission of the CITY OF PLEASANT RIDGE, OAKLAND COUNTY, MICHIGAN, on the ____ day of _____, 2015.

Kurt Metzger, City Mayor

Attest:

Amy Drealan, City Clerk



*23925 Woodward Avenue
Pleasant Ridge, Michigan 48069*

Regular City Commission Meeting September 8, 2015

Having been duly publicized, Mayor Metzger called the meeting to order at 7:31 p.m.

Present: Commissioners Foreman, Krzysiak, Perry, Scott, Mayor Metzger.
Also Present: City Manager Breuckman, City Attorney Need, City Clerk Drealan.
Absent: None.

Pleasant Ridge Cubs Minors Baseball Team Recognition

Assistant City Manager Scott Pietrzak introduced the Pleasant Ridge Cubs Minors Baseball Team as the Tri-City Minors Champions. Coach Eric Schieble presented Mayor Metzger with a Cubs Jersey. The Team was presented with a special certificate from the Mayor. Mr. Schieble thanked all the families for participating in support of the team.

Public Discussion

Ms. Leslie Jones, 19 Fairwood, Environmental Commission, announced that the recycling fair is September 26th, 1:00p to 5:00p, accepting electronics, computers, clothing, and books, along with shredding. On Monday, October 19th, at 7:00p, 4 Ridge Road, a presentation by Kay Sicheneder, an arborist from Owen Tree Service, on care and management of trees. Commissioner Foreman added that the Pleasant Ridge Foundation is having its Baggo Mania tournament on September 26th.

Mr. Ted Zachary, 68 Devonshire, reported that he attended a seminar on community gardens and mentioned it is important to have insurance and involve youth. The presentation is available online and you can contact Mr. Zachary at wprrtv@yahoo.com for the link. Any terrific tip suggestions are also welcomed. Mr. Zachary demonstrated the use of a timer while cooking as a reminder that you may have something on the stove if you are distracted by sitting at the computer.

Ms. Jessica Herzig, 1 Sylvan, Historical Commission, reported that June 4th, 2016 is the date of the garden tour. New ideas are being considered for some changes in the program. The Historical Commission is looking for new members. The Historical Museum will reopen Saturday, September 19th, 10:00a to Noon. Commissioner Foreman thanked the Historical Commission for its work in the community.

Ms. Jodi McGuire, 6 Woodside, trustee of the Pleasant Ridge Foundation and a founding member of Ridge Resale, reported that the Ridge Resale is 100-percent run by volunteers and located at the DPW. The proceeds raised are used by the Pleasant Ridge Foundation to enrich the City. To date, \$4,950.00 has been passed onto the Foundation. Sales are the second Saturday of every

month, weather permitting. Next sale is September 12th, 9:00a to 2:00p, which will include a tent sale with \$1.00 items. Many items may be used for upcoming Halloween costumes. Donations will not be accepted on this date due to the special sale. On September 26th, Ridge Resale will be open from 1:00p to 5:00p in conjunction with the recycle fair to accept donations only. Also, Ridge Resale will be open on the Sunday of the hayride.

Mr. Fred Seoden, 29 Fairwood, wanted to set the record straight on flooding and sewers after the anniversary of the flood 2014. The City's drain contains no pressure whatsoever and works like a river with an open channel flow. Floor drains are connected to gutter drains. A backflow preventer will cover your house, but not the basement. A good suggestion is to shut your water supply off while you are away for a period of time.

**Whistle Stop 1 – Liquor License Transfer of Class C License from Mae's Restaurant, Inc.
15-3207**

City Manager Breuckman explained that the transfer needs state and City approval. A meeting was held in July with the City and the residents with a positive outcome. New owners have arranged for an extra trash pickup at the restaurant. The operating agreement has some minor changes to the hours of operation with a later start in the morning and longer hours on the weekend. Commissioner Foreman inquired if the days of operation are different and Breuckman reported that Whistle Stop 1 will be a 7-day operation as opposed to Mae's being closed on Mondays.

Mayor Metzger opened the public hearing at 8:01 p.m.

Ms. Patricia Ignatius, 9 Amherst, raised concerns of the leaf collection especially with the operation being open seven days a week now. Collection the last few years has been a major problem. Breuckman is aware of the concerns on Amherst and the City is addressing ways for better efforts, possibly closing the street to parking on the day scheduled for leaf collection.

With no further comments or discussion, Mayor Metzger closed the public hearing at 8:05 p.m.

Motion by Commissioner Foreman, second by Commissioner Perry, that the City Commission approve the request to transfer the Class C Liquor License from Mae's Restaurant, Inc., to Whistle Stop 1, Inc., to operate the Whistle Stop restaurant at 24060 Woodward Avenue, Pleasant Ridge, Michigan, under the terms and conditions of City Ordinance 391, and that the Development and Operational Agreement be finalized between the parties.

Commissioner Krzysiak was pleased with the comments addressed at the meeting in July and thanked those who participated. The community values the establishment location and looks forward to supporting the new owners.

Adopted: Yeas: Commissioner Foreman, Perry, Krzysiak, Mayor Metzger
 Nays: None.

Mayor Metzger welcomed the new owners to the community.

Governmental Reports

Mr. Blake Prewitt, Superintendent of Ferndale Public Schools, shared an opening day presentation. Some parents from the community provided breakfast for the teachers and staff as organized by the School Board. The theme for this school year is “Team of Endless Dreams.” Ferndale schools have been addressed in the media, both newspaper and radio, outlining success stories and programs. New at the schools is an early childhood center at the former administration building. Ferndale Open Classroom is in all three elementary schools. This program will be district wide next year. Project Lead the Way, a STEM program, is being started at the Ferndale Middle School and the only school in the area hosting this program funded by a state grant. Ferndale School District is the first in the state to adopt the Cambridge International Program. Over 100 students are involved in this program. The Secondary Honors Program is also offered, along with an Early College program with Baker College. The alternative education program has been revised and is part of the Tri-County Educational Program. Mr. Prewitt mentioned that there is a renewal of the school millage this November for 20 years and is a non-homestead tax.

Fire Chief Kevin Sullivan mentioned that school is back in session and asked residents to be alert of those walking and on bikes.

Police Chief Kevin Nowak reported that the Dream Cruise went well with no major issues. Many surrounding communities have reported an increase in crime, but Pleasant Ridge has not experienced it. Police patrols have stepped in the neighborhoods. Police Nowak also reiterated that schools are back in session and to be mindful as you approach school zones. Police Nowak also reminded residents that if you see anything unusual, please contact the police department immediately. Commissioner Foreman inquired about some of the expenses on the disbursement report and Chief Nowak explained that the in-car cameras were all broken and unable to be repaired, and new ones were purchased; two tasers were purchased for availability on the shifts; and patrol rifles were purchased and being reimbursed by individual officers in a buyback program. Ms. Herzig, 1 Sylvan, inquired about contacting dispatch for a situation and felt that the dispatcher was curt with her. Chief Nowak commented that he has heard similar comments and has spoken with this dispatcher himself. Berkley does dispatch for several communities and the workload can be stressful, and Chief Nowak will look into this matter further.

City Commissioner Liaison Reports

Commissioner Foreman had no additional information to add to Mr. Prewitt’s report.

Commissioner Perry reported that the Planning Commission/DDA did not meet in August and their next meeting will be September 28th. Commissioner Perry reported that Friday, September 11th, the WA3 is hosting the Woodward Vision luncheon focusing on economic development along Woodward with a great panel discussion. Tickets are still available; 11:30a to 2:00p. Saturday, September 12th, 9:00a, will be a bike route along Woodward Avenue starting at the Highland Park plant. City Manager Breuckman presented a slideshow that offered samples of buffered and protected bike lanes which will be the future of Woodward Avenue. Commissioner Krzysiak added that many people rode their bikes to the Arts, Beats & Eats, and the future dedicated bike lanes will be a huge benefit for residents and the city.

Commissioner Scott invited residents to attend the next Historical Commission meeting on October 7th, Community Center, the first Wednesday of every month.

Commissioner Krzysiak requested cardboard boxes for the September 12th box castle build behind the Community Center. Wednesday, September 16th, Community Center, 6:30p, there will be a workshop on the tentative plans for Gainsboro Park. Wednesday, September 30th, 7:00p, Recreation Commission will be meeting to review the plans and seek input from residents. Thursday, October 8th, 6:00p, Community Center, Senior Bingo. Saturday, October 10th, Community Center, Mom-to-Mom sale. There are two openings on the Recreation Commission and will be filled at the October meeting. Anyone interested in serving on this commission, please contact the Recreation Department or City Clerk for an application, or online.

Consent Agenda

15-3208

Motion by Commissioner Foreman, second by Commissioner Scott, that the Consent Agenda, be approved, as recommended, with the removal of 9(f) for further discussion.

Adopted: Yeas: Commissioner Foreman, Scott, Krzysiak, Perry, Mayor Metzger
 Nays: None.

Receipt of Correspondence regarding Pit Bull and Vicious Dog Ban

City Manager Breuckman reported that Ms. Thea Augustyn, 20 Maplefield, has a concern about a proliferation of pit bulls at the north end of Maplefield and is requesting a ban. Many communities have created breed specific bans or an ability to deal with potentially vicious dogs. In the last 10 years, there have been 20 reported dog bite/attack cases, 10 of which were confirmed bites with a variety of breeds.

City Attorney Need reported there are no specific ordinances in the City that deal with these situations and the City relies on the state law. The City has three options: Propose an outright ban on one or more breeds; adopt additional protections and/or regulations directed towards one or more breeds; and adopt additional regulations that would apply to any type of dangerous animal overall. Some communities have adopted outright bans of a specific breed, but most adopt additional regulations. Need cautioned the Commission on an outright ban due to the fact that it is difficult to categorize a particular common breed and could possibly lead to intense litigation; enforcement issues are raised as well. Commissioner Foreman inquired as to what type of regulations could be added in order to include dangerous animals overall. Need explained that an ordinance of this nature needs to be cleverly crafted so that it is clear as to what is being regulated and what is prohibited.

Mayor Metzger indicated that he would not support a breed specific ban but would like to explore other possibilities of potentially dangerous situations. Commissioner Krzysiak shares the Mayor's concerns and believes that this should be explored, especially to encourage the responsibility of the animal owners. Krzysiak indicated that the discussion has come up about dogs being allowed in the park on the walking path. Commissioner Scott inquired if the reported dog bite cases were actually dogs owned by residents or if they were just along Woodward Avenue. Breuckman reported that many were dogs owned by residents, but there were also incidents at the dog park with non-resident

dogs. Commissioner Scott suggested that Woodward Avenue brings many non-residents through Pleasant Ridge and this will have to be investigated as well. Commissioner Perry does not support the ban specific ordinance, but overall regulations need to be addressed as a safety issue. Commissioner Foreman inquired if there were any other residents who have provided correspondence on this matter. City Clerk Drealan explained that residents were inquiring as to what the agenda item meant and what direction the City would be going on this matter. Mayor Metzger suggested a workshop be held to provide the City Commission with more information. Commissioner Foreman suggested a town hall meeting just on this topic.

Ms. Terry Hodskins, Waterford Township, founder of Michigan Pit Bull Education Project, and reported that ban specific ordinances do not make communities safer. An ordinance should be passed to make dog owners more responsible and not the breed. Ms. Hodskins' foundation is available for education and can assist in drafting an ordinance, along with providing training. Commissioner Krzysiak inquired as to what is the best way to handle neighbor situations involving a dog, and Ms. Hodskins explained that every situation is different. Her expertise is educating the public, and she will speak with the Police Chief to offer further assistance. Ms. Hodskins explained that having your dog spayed or neutered are a benefit to the animal and the owner.

Ms. Valerie Newman, 19 Maplefield, assisted Ms. Augustyn with the research. The main concern is the children in the neighborhood playing at the dead-end street and a dog possibly jumping a fence. A discussion is needed in the City to bring it to everyone's attention, especially with the fact there are a number of rental homes in the area.

Mr. Josh Diskin, 15 Maplefield, is the owner of the dog mentioned in Ms. Augustyn's letter. He and his wife will do everything in their power to make the neighbors feel comfortable and safe about their pet.

Police Chief Nowak provided a thorough explanation of the 20 cases that were reported over the 10 years. The bottom line is that residents have to take responsibility of their pets and proper education is important. Ms. Augustyn inquired if there is an ordinance that requires a certain height of a fence for a dog and the Chief was not aware of any such ordinance. Chief Nowak did report that police officers do enforce pets that are not on leashes, both dogs and cats. Ms. Herzig inquired if the police department should be notified of dogs seen running at large and Chief Nowak encouraged residents to call. Commissioner Foreman added that pet owners need to be prepared for the "what ifs" that can happen and education is important.

Ms. Alissa Sullivan, Hazel Park, indicated that her city just repealed the breed specific ban. Having a safe neighborhood is a community effort, and proper education is important.

Resolution in support of the Environmental Committee letter to businesses regarding Eco-friendly lawn and garden products

15-3209

Commissioner Foreman requested the Environmental Committee to provide more background on the proposed resolution. Ms. Leslie Jones explained that the point of the letter was to have local businesses stock eco-friendly lawn and garden products, safer alternatives to pesticides that are currently not available. Commissioner Foreman is in strong support of this request.

Motion by Commissioner Foreman, second by Commissioner Scott, that a resolution in support of the letter regarding eco-friendly lawn and garden products by the Pleasant Ridge Environmental Committee be approved as presented.

Adopted: Yeas: Commissioner Foreman, Scott, Krzysiak, Perry, Mayor Metzger
 Nays: None.

City Manager's Report

City Manager Breuckman reiterated the Gainsboro Park workshop is next Wednesday, September 16th, 6:30p, at the Community Center. The City did receive a DTE tree planting grant of \$4,000.00, which will be planted next spring. The sidewalk replacement program is on its way and the big heaves are being replaced first to provide a safer walkway. Breuckman reported that Pleasant Ridge and neighboring communities are experiencing a rodent problem. Code enforcement is getting involved and the City is being proactive. Breuckman reported that MDOT is allowing the City to do some test projects on Main Street/I-696 corridor in order to perform a traffic study. Breuckman reported that applications for any of commissions are available online and there is a need to fill the slots on the Recreation Commission. Applicants should apply by the end of September. Commissioner Foreman emphasized the importance of getting involved in a commission, and the Recreation Commission is a great way to make a difference in this city. The Beautification Awards will be presented in October.

Assistant City Manager Pietrzak reported that 99-percent of Oxford construction is completed and only the landscaping needs to be finished. The pool is now closed after a very busy season.

Mayor Metzger inquired if the LED program is completed. Breuckman reported that it has been completed and DTE did present a rebate check to the City upon completion.

City Clerk Drealan reported that Election Day is November 3rd. The last day to register is October 5th. A write-in candidate must file paperwork by October 23rd. The school millage on the ballot affects businesses and non-homestead residents.

Other Business

Commissioner Krzysiak reported that the next book for the Book Club will be the "Rosie Project" by Graeme Simsion and will be discussed on Monday, September 28th, at 7:00p, Community Center. The Little Lending Library project is underway and two school-themed libraries are being constructed for Hessle Park, and another library for Flynn Field. Krzysiak thanked Commissioner Scott for his support of the project, who has offered to help with cost overruns.

With no further business or discussion, Mayor Metzger adjourned the meeting at 10:00 p.m.

Mayor Kurt Metzger

Amy M. Drealan, City Clerk
/mat

September 2015

ACCOUNTS PAYABLE

PAYROLL LIABILITIES	\$	8,999.49
TAX LIABILITIES	\$	453,383.14
ACCOUNTS PAYABLE	\$	590,909.04
TOTAL	\$	1,053,291.67

PAYROLL

September 2, 2015	\$	32,199.70
September 16, 2015	\$	29,472.38
September 30, 2015	\$	29,128.05

TOTAL	\$	90,800.13
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**CHECK REGISTER FOR CITY OF PLEASANT RIDGE
PAYROLL LIABILITIES
SEPTEMBER 2015**

PG 1

Check Date	Check	Vendor Name	Description	Amount
9/2/2015	1496	MIFOP	UNION DUES-SEPT 2015	\$ 188.00
9/2/2015	1497	MISDU	FOC DEDUCTIONS	\$ 224.60
9/2/2015	1498	M&T BANK-ICMA - 401a	RETIRMENT CONTRIBUTIONS	\$ 1,324.67
9/2/2015	1499	ICMA RETIREMENT TRUST - 457	RETIRMENT CONTRIBUTIONS	\$ 1,462.86
9/16/2015	1503	MISDU	FOC DEDUCTIONS	\$ 224.60
9/16/2015	1504	M&T BANK-ICMA - 401a	RETIRMENT CONTRIBUTIONS	\$ 1,209.67
9/16/2015	1505	ICMA RETIREMENT TRUST - 457	RETIRMENT CONTRIBUTIONS	\$ 1,448.14
9/30/2015	1506	MISDU	FOC DEDUCTIONS	\$ 224.60
9/30/2015	1507	M&T BANK-ICMA - 401a	RETIRMENT CONTRIBUTIONS	\$ 1,209.67
9/30/2015	1508	ICMA RETIREMENT TRUST - 457	RETIRMENT CONTRIBUTIONS	\$ 1,482.68
TOTAL PAYROLL LIABILITIES				<u>\$ 8,999.49</u>

CHECK REGISTER FOR CITY OF PLEASANT RIDGE
TAX LIABILITIES
SEPTEMBER 2015

PG 2

Check Date	Check	Vendor Name	Description	Amount
09/08/2015	2313	CITY OF PLEASANT RIDGE-DDA	2015 TAX COLLECTIONS	\$ 6,599.24
09/08/2015	2314	CITY OF PLEASANT RIDGE-GENERAL	2015 TAX COLLECTIONS	\$ 2,503.61
09/08/2015	2315	CITY OF PLEASANT RIDGE-TAXES	2015 TAX COLLECTIONS	\$ 116,582.75
09/08/2015	2316	FERNDALE PUBLIC SCHOOL	2015 TAX COLLECTIONS	\$ 50,366.22
09/08/2015	2317	FIRST AMERICAN TITLE	2015 SUMMER TAX OVERPAYMENT	\$ 1,455.99
09/08/2015	2318	OAKLAND COUNTY TREASURER	2015 TAX COLLECTIONS	\$ 78,124.33
09/08/2015	2319	SEAVER TITLE AGENCY LLC	2015 SUMMER TAX OVERPAYMENT	\$ 999.80
09/29/2015	2320	CITY OF PLEASANT RIDGE-DDA	2015 TAX COLLECTIONS	\$ 4,374.14
09/29/2015	2321	CITY OF PLEASANT RIDGE-GENERAL	2015 TAX COLLECTIONS	\$ 91,669.19
09/29/2015	2322	FERNDALE PUBLIC SCHOOL	2015 TAX COLLECTIONS	\$ 39,068.58
09/29/2015	2323	MICHAEL SOKOL	2015 SUMMER TAX OVER PAYMENT	\$ 540.62
09/29/2015	2324	OAKLAND COUNTY TREASURER	2015 TAX COLLECTIONS	\$ 61,098.67
TOTAL TAX LIABILITIES				<u><u>\$ 453,383.14</u></u>

CITY OF PLEASANT RIDGE CHECK REGISTER
ACCOUNTS PAYABLE
SEPTEMBER 8, 2015

PG 3

Check Date	Check	Vendor Name	Description	Amount
09/08/2015	19835	21ST CENTURY MEDIA-MICHIGAN	PRINTING OF LEGAL ADS	\$ 439.75
09/08/2015	19836	ABRAHAM & GAFFNEY, P.C.	AUDIT FIELDWORK	\$ 16,500.00
09/08/2015	19837	ADKISON, NEED & ALLEN P.L.L.C.	CITY ATTORNEY SERVICES	\$ 2,258.00
09/08/2015	19838	ANDERSON, ECKSTEIN & WESTRICK	OXFORD RECONSTRUCTION PROJECT	\$ 19,397.40
09/08/2015	19839	ARROW UNIFORM RENTAL	MAT RENTAL AND JANITORIAL SUPPLIES	\$ 473.56
09/08/2015	19840	BEIER HOWLETT PC	CITY ATTORNEY SERVICES	\$ 21.28
09/08/2015	19841	BOSTON MUTUAL LIFE INS. CO	HEALTH CARE BENEFITS	\$ 170.50
09/08/2015	19842	BRILAR	JUNE 2015	\$ 30,893.98
09/08/2015	19843	CITY OF BERKLEY	AUGUST DISPATCH SERVICES	\$ 3,349.61
09/08/2015	19844	CITY OF FERNDALE	FIRE CONTRACT PAYMENT	\$ 21,381.72
09/08/2015	19845	CITY OF FERNDALE-RECREATION	2015 SPRING SOCCER	\$ 216.00
09/08/2015	19846	CITY OF HAZEL PARK	RECREATION UMPIRE	\$ 70.00
09/08/2015	19847	COMMUNITY MEDIA NETWORK	CITY COMMISSION MEETING RECORDING	\$ 200.00
09/08/2015	19848	CREATIVE AWARDS	SWIM TEAM SUPPLIES	\$ 620.37
09/08/2015	19849	DETROIT EDISON COMPANY	CITY STREET LIGHTING	\$ 3,659.56
09/08/2015	19850	DILSIO CONTRACTING INC	OXFORD STREET CONSTRUCTION PROJECT	\$ 293,402.74
09/08/2015	19851	EUGENE LUMBERG	CITY ATTORNEY SERVICES	\$ 375.00
09/08/2015	19852	FERNDALE PIZZA CO., INC.	RECREATION PROGRAMS	\$ 55.99
09/08/2015	19853	FERNDALE PUBLIC SCHOOL	RECREATION TRANSPORT	\$ 812.50
09/08/2015	19854	GREAT AMERICA	TELEPHONE SERVICES	\$ 433.00
09/08/2015	19855	H2O IRRIGATION, INC	OXFORD IRRIGATION REPAIRS	\$ 6,714.00
09/08/2015	19856	HOME DEPOT CREDIT SERVICES	BUILDING MAINTENANCE SUPPLIES	\$ 53.59
09/08/2015	19857	J & J AUTO TRUCK CENTER	POLICE CAR MAINTENANCE	\$ 140.90
09/08/2015	19858	JANI-KING OF MICHIGAN, INC	JANITORIAL SERVICES	\$ 2,161.00
09/08/2015	19859	KENNETH BORYCZ	MECHANICAL INSPECTOR SERVICES	\$ 555.00
09/08/2015	19860	KEVIN LAUDERDALE	SUMMER SESSION 2	\$ 316.00
09/08/2015	19861	MAJIK GRAPHICS INC	POLICE DEPARTMENT SUPPLIES	\$ 222.00
09/08/2015	19862	MI GOVT FINANCE OFFICERS ASSOC	CLASS REGISTRATION	\$ 300.00
09/08/2015	19863	MI MUNICIPAL RISK MANAGEMENT	INSURANCE AND BOND PAYMENTS	\$ 16,117.50
09/08/2015	19864	MICH DEPT OF TRANSPORTATION	SIGNAL ENERGY	\$ 43.47
09/08/2015	19865	MICH.MUNICIPAL WORKER'S COMP.	MML WORKERS COMPENSATION	\$ 1,954.00
09/08/2015	19866	MICHIGAN AMMO COMPANY	POLICE DEPARTMENT SUPPLIES	\$ 440.00
09/08/2015	19867	MOM2MOMLIST.COM	MOM 2 MOM SALE REGISTRATION	\$ 23.00
09/08/2015	19868	NATIONAL PEN	POLICE DEPARTMENT SUPPLIES	\$ 124.40
09/08/2015	19869	OAKLAND COUNTY TREASURER	SEWAGE TREATMENT FOR AUGUST 2015	\$ 45,225.25
09/08/2015	19870	PAM KAMPF	SPRING/SUMMER 2015 CLASSES	\$ 872.00
09/08/2015	19871	PATRICK KRUSE	SWIM TEAM REFUND 3 KIDS	\$ 475.00
09/08/2015	19872	PRINTING SYSTEMS, INC.	OFFICE SUPPLIES	\$ 287.16
09/08/2015	19873	REPLENISH YOGA	REPLENISH YOGA STUDIO	\$ 2,042.00
09/08/2015	19874	SIR SPEEDY	OFFICE SUPPLIES	\$ 532.82
09/08/2015	19875	SOCRRA	REFUSE COLLECTION CONTRACT	\$ 7,396.00
09/08/2015	19876	VOID	VOID	\$ -
09/08/2015	19877	THE VARSITY SHOP	SWIM TEAM SUPPLIES	\$ 703.84
09/08/2015	19878	TOSHIBA FINANCIAL SERVICES	COPIER LEASE AGREEMENT	\$ 1,004.30
09/08/2015	19879	WEB MATTERS BY KRISTIE	WEBSITE HOSTING FOR SEPTEMBER 2015	\$ 24.95
09/08/2015	19880	WEX BANK	FUEL PURCHASES FOR POLICE CARS	\$ 1,274.15

Total for 9-8-15

\$ 483,733.29

CITY OF PLEASANT RIDGE CHECK REGISTER
ACCOUNTS PAYABLE
SEPTEMBER 30, 2015

PG 4

Check Date	Check	Vendor Name	Description	Amount
09/30/2015		ADT SECURITY SERVICES	ADT SECURITY SERVICES	\$ 788.08
09/30/2015	19882	ALBANA KOKA	HISTORICAL MONTHLY CLEANING	\$ 50.00
09/30/2015	19883	ANDERSON, ECKSTEIN & WESTRICK	WATER RELIABILITY STUDY	\$ 27,722.10
09/30/2015	19884	ARROW UNIFORM RENTAL	MAT RENTAL AND JANITORIAL SUPPLIES	\$ 951.16
09/30/2015	19885	BCBS OF MI	HEALTH CARE BENEFITS OCTOBER 2015	\$ 29,171.20
09/30/2015	19886	BOARD OF WATER COMMISSIONERS	AUGUST 2015	\$ 418.00
09/30/2015	19887	BOSTON MUTUAL LIFE INS. CO.-G	HEALTH CARE BENEFITS	\$ 170.50
09/30/2015	19888	CITY OF BERKLEY	AUGUST PRISONER BOARD	\$ 105.00
09/30/2015	19889	CITY OF FERNDALE	FIRE CONTRACT PAYMENT	\$ 21,381.72
09/30/2015	19890	CITY OF FERNDALE	2015 LEAF COLLECTION AND STORAGE	\$ 5,411.00
09/30/2015	19891	CITY OF OAK PARK	2015 MAYORS DINNER REIMBURSEMENT	\$ 273.85
09/30/2015	19892	CONSUMERS ENERGY	CITY UTILITY SERVICES	\$ 687.67
09/30/2015	19893	ELIZABETH GLEICHER	FENCE REPAIR - OXFORD CONSTRUCTION	\$ 170.19
09/30/2015	19894	HARLEY ELLIS	ENGINEERING SERVICES	\$ 1,848.00
09/30/2015	19895	HOME DEPOT CREDIT SERVICES	MAINTENANCE SUPPLIES	\$ 58.50
09/30/2015	19896	J & J AUTO TRUCK CENTER	POLICE CAR MAINTENANCE AND SUPPLIES	\$ 293.46
09/30/2015	19897	KIESLER'S POLICE SUPPLY, INC	POLICE DEPARTMENT SUPPLIES	\$ 559.30
09/30/2015	19898	MAT COURT RECORDING	CITY COMMISSION MEETING MINUTES	\$ 250.00
09/30/2015	19899	MULTI-LAKES CONSERVATION ASSOC	POLICE TRAINING	\$ 542.50
09/30/2015	19900	O.P. AQUATICS	POOL CHEMICALS AND SUPPLIES	\$ 524.00
09/30/2015	19901	PLANTE & MORAN PLLC	ACCOUNTING SERVICES	\$ 5,339.00
09/30/2015	19902	PRISCILLA EGGEN	BEUTIFICATION AWARDS 2015	\$ 250.00
09/30/2015	19903	RAY KEE	BUILDING INSPECTOR SERVICES	\$ 2,700.00
09/30/2015	19904	SCHEER'S ACE HARDWARE	MAINTENANCE SUPPLIES	\$ 128.83
09/30/2015	19905	SCOTT PIETRZAK	RIDGER MAILING REIMBURSEMENT	\$ 300.00
09/30/2015	19906	VALERIE OVERHOLT	SPRINKLER REPAIR - OXFORD CONSTRUCTION	\$ 165.00
09/30/2015	19907	VERIZON	WIRELESS SERVICES	\$ 60.08
09/30/2015	19908	WOLVERINE POWER SYSTEMS	GENERATOR MAINTENANCE - BUILDING	\$ 332.06

Total for 9-30-15

\$ 100,651.20

CITY OF PLEASANT RIDGE CHECK REGISTER
ACCOUNTS PAYABLE
Electronic Payments & P-Card Transactions

PG 5

Check Date	Check	Vendor Name	Description	Amount
09/15/2015	135	ADOBE SYSTEMS INC	SOFTWARE PURCHASES	\$ 15.89
09/15/2015	136	ADOBE SYSTEMS INC	SOFTWARE PURCHASES	\$ 15.89
09/15/2015	137	ADOBE SYSTEMS INC	SOFTWARE PURCHASES	\$ 52.99
09/15/2015	138	AMAZON.COM	BOOK PURCHASES	\$ 8.12
09/15/2015	139	AT&T MOBILITY	IPAD DATA SERVICES/TELEPHONE SERVICES	\$ 3,627.10
09/15/2015	140	COMCAST	TELECOMMUNICATION SERVICES	\$ 75.13
09/15/2015	141	CRAIN COMMUNICATION INC.	SUBSCRIPTION RENEWAL-BREUCKMAN	\$ 83.00
09/15/2015	142	EVENTBRITE HERITAGE CONFERENCE	HERITAGE CONFERENCE REG-METZGER	\$ 49.00
09/15/2015	143	GLOBAL INDUSTRIAL	BUILDING MAINTENANCE SUPPLIES	\$ 410.92
09/15/2015	144	MERS ANNUAL MEETING	MERS MEETING REGISTRATION-DREALAN	\$ 175.00
09/15/2015	145	VOID	VOID	\$ -
09/15/2015	146	MI GOVT FINANCE OFFICERS ASSOC	CLASS REGISTRATON-PIETRZAK	\$ 150.00
09/15/2015	147	MICHIGAN ASSOC OF PLANNING	CONFERENCE REGISTRATION-BREUCKMAN	\$ 350.00
09/15/2015	148	MICHIGAN STATE POLICE	CLASS REGISTRATION-NOWAK & RIED	\$ 130.00
09/15/2015	149	MSFT	OFFICE 365 EMIAL SERVICES	\$ 115.00
09/15/2015	150	OFFICE DEPOT	OFFICE SUPPLIES	\$ 71.01
09/15/2015	151	PERFECT WATER	COMMUNITY CENTER SUPPLIES	\$ 39.95
09/15/2015	152	QUILL CORPORATION	OFFICE SUPPLIES	\$ 387.55
09/15/2015	153	WOODWARD AVENUE ACTION ASSOC.	VISION LUNCHEON REGISTRATION	\$ 50.00
09/15/2015	154	XFER COMMUNICATIONS	COMPUTER MAINTENANCE AGREEMENT	\$ 545.00
09/15/2015	155	XFER COMMUNICATIONS	BACKUP STORAGE	\$ 173.00

Total For Electronic Payments:	\$ 6,524.55
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City of Pleasant Ridge

RESOLUTION

WHEREAS, there are millions of living witnesses to the fact that cancer can be cured, despite the fact that this dreaded disease is an alarming national killer; and

WHEREAS, October has been declared as National Breast Cancer Awareness Month; and

WHEREAS, thanks to increasing knowledge in the biological and medical sciences, we are nearing a solution to the problem of many types of cancer, but must not lessen our efforts until the battle has been completely won; and

WHEREAS, knowledge of the common symptoms of cancer should be thoroughly promulgated so as to save more lives by prompt medical attention; and

WHEREAS, Gilda's Club, which opened in the City of Royal Oak in 1998, has worked unceasingly to inform and educate the public concerning the warning signals of breast cancer and lymphoma and to assist in the care of such patients, including counseling and comfort of their families; and

WHEREAS, The American Cancer Society has dedicated itself to furthering research toward more effective treatment and an inevitable cure for this disease and continues to contribute greatly to the never-ending battle against one of society's prime destroyers.

NOW, THEREFORE, I, Kurt Metzger, Mayor of Pleasant Ridge, on behalf of the City Commission, do hereby invite all citizens to join with me in extending this expression of our sincere appreciation to the many volunteers and staff members of Gilda's Club and the American Cancer Society for the valuable service they perform in their continuing crusade against cancer.

*Signed this 13th day of October in the City of Pleasant Ridge
State of Michigan in witness whereof the official seal
and signature of the city are affixed.*

Kurt Metzger, Mayor



City of Pleasant Ridge

Amy M. Drealan, City Clerk

From: Amy M. Drealan, City Clerk
To: City Commission
Date: October 13, 2015
Re: MDOT Annual Permit for Work on State Highways

Overview

Each year, the City Commission must approve the Performance Resolution for Governmental Agencies and designate an authorized individual to sign the annual permit for work on State highways. This allows the City to perform any work within the MDOT right-of-way.

Requested Action

Approve the MDOT Performance Resolution for Governmental Agencies for the 2016 Annual Permit for work on State trunkline right-of-way, and appoint the City Manager and Assistant City Manager as authorized individuals to sign the annual permit.

Please feel free to contact me should you wish to discuss this matter further.

**PERFORMANCE RESOLUTION FOR
GOVERNMENTAL AGENCIES**

This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipality an "Individual Permit for Use of State Highway Right of Way" or an "Annual Application and Permit for Miscellaneous Operations Within State Highway Right of Way".

RESOLVED WHEREAS, the _____
(city, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utility or other facilities, or to conduct other activities, on, over, and under State Highway right of way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without its specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.
3. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
4. The GOVERNMENTAL AGENCY It will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
5. With respect to any activities authorized by PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.

6. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
7. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

NAME AND/OR TITLE

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the _____
(Name of Board, etc)

of the _____ of _____
(Name of GOVERNMENTAL AGENCY) (County)

at a _____ meeting held on the _____ day

of _____ A.D. _____.

SIGNATURE	TITLE	PRINT NAME
-----------	-------	------------



City of Pleasant Ridge

Amy M. Drealan, City Clerk

From: Amy M. Drealan, City Clerk
To: Mayor and City Commission
Date: October 13, 2015
Re: Recreation Commission Appointments

The City of Pleasant Recreation Commission currently has two vacancies. I have included an item on the agenda for City Commission consideration to fill these vacancies. The prospective applications are attached to this memorandum. The two applications the City received are from Catherine Russell and Richard Cook.

Both of these applicants will be completing partial terms. One term will expire December 31, 2016 and the other December 31, 2017. The suggested motion includes effective terms for both applicants based on when their application was received and when the actual opening occurred. Members of the Recreation may serve up to two full terms.

Please feel free to contact me should you wish to discuss this matter further.



City of Pleasant Ridge

Candidate Questionnaire

Name: Catherine Russell	
Date: May 27, 2015	Pleasant Ridge Resident For (years): 40 plus
Occupation: Administrative Assistant, Fife-Pearce Electric	

Commissions On Which You Want to Serve (please check all applicable boxes):

- | | |
|------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> Board of Review | <input checked="" type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Historical Commission | <input type="checkbox"/> Zoning Advisory Committee |
| <input type="checkbox"/> Planning Commission | <input type="checkbox"/> Huntington Woods Library Board |

Interests/Reasons/Qualifications

I have been running pools for over 20 years from hiring, training, and the daily management of staff as well as the pool itself. I also have been involved in Parks and Recreation programs for over 25 years with my sons - most in Pleasant Ridge but also in other cities. I have been involved as an adult as well as a child in these programs.

Boards/Commissions/Committees on Which You Have Served (list municipalities and dates)

Foundation -1991-93

Other Organizations

Women's Club

Education

I have a Bachelors degree from Western Michigan University with my major in Parks and Recreation Administration and a Minor in PE.

Additional Information

Having lived in Pleasant Ridge for most of my life I have seen many changes and advancement in all the programs. I would like to use my knowledge and experience to continue helping the city continue to grow through Recreation Department.



City of Pleasant Ridge

Candidate Questionnaire

Name: Richard Cook	
Date: 10/2/15	Pleasant Ridge Resident For (years): 1 year
Occupation: Project Manager, Porsche Cars North America	

Commissions On Which You Want to Serve (please check all applicable boxes):

- | | |
|------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> Board of Review | <input checked="" type="checkbox"/> Recreation Commission |
| <input type="checkbox"/> Historical Commission | <input type="checkbox"/> Zoning Advisory Committee |
| <input type="checkbox"/> Planning Commission | <input type="checkbox"/> Huntington Woods Library Board |

Interests/Reasons/Qualifications

I have an extensive Project Management background in Architecture, Landscape Architecture and in various volunteer organizations. I believe my participation in the Recreation Commission would allow me to leverage my strengths and experience at a very exciting time with the continuing planning and development of Gainsborough Park

Boards/Commissions/Committees on Which You Have Served (list municipalities and dates)

Volunteer for Ridge Roots Community Garden, Pleasant Ridge, MI (2015-continuing)
Community Outreach Speaker-Phoenix Shanti Group, Phoenix, AZ (1990-1995)
Outreach Committee for Corporate Donation/Kitchen Volunteer-The Chicken Soup Brigade in Seattle, WA (1996-2000)

Other Organizations

--

Education

B.A.-Design & Planning-University of Washington, Seattle, WA
B.A.-Sociology-University of Washington, Seattle, WA
(dual degree)

Additional Information

The Pleasant Ridge 'mystique' is real, it is made of thoughtful neighbors, a thriving and vibrant community and individuals who care.



City of Pleasant Ridge

James Breuckman, City Manager

From: Jim Breuckman, City Manager
To: City Commission
Date: October 6, 2015
Re: Woodward Neighborhood Bicycle Route TAP Grant

Overview

The City of Ferndale has applied for and won preliminary approval of a Transportation Alternatives Program (TAP) grant through SEMCOG and MDOT. The grant is for a Woodward Neighborhood Bicycle Route project that travels through 6 communities – Pleasant Ridge, Ferndale, Oak Park, Huntington Woods, Royal Oak, and Hazel Park. In order to proceed with the grant, Ferndale is requesting resolutions of support for the grant and approval of an interlocal agreement to allow Ferndale to administer the implementation of the project.

Background

The proposed TAP grant was applied for in the spring of 2015. The proposed project would establish designated bicycle routes connecting the participating communities. The attached map shows the location of the proposed routes connecting the communities. The overall purpose of the project is to provide better and safer bicycle access to focal points through improved way-finding signage and bicycle infrastructure around the Woodward Corridor.

The proposed improvements along the bicycle routes varies by community. Ferndale will be implementing hardscape improvements such as curb extensions and mid-block crossings as called for by their Ferndale Moves plan. In Pleasant Ridge, Huntington Woods, and Oak Park the improvements consist of signs designating the route.

A total of 8 sign locations were proposed in the grant application for Pleasant Ridge. The signs would be located along Woodward Heights at the City's east boundary line, at Woodward Heights and Indiana, Sylvan and Indiana, Woodward and Sylvan/Oakland Park, and at Oakland Park and Ridge.

The total project cost is estimated at \$338,000, with \$268,000 of the costs being proposed in Ferndale. Pleasant Ridge's share of the total project cost is about \$3,000, with our out-of-pocket cost being estimated at \$1,700. The TAP grant funds cover the remaining \$1,300. Project funding is available in the local and major streets funds. The attached interlocal agreement would allow Ferndale to administer the grant on behalf of the 5 other communities involved.

Requested Action

In order to proceed with the project the City Commission must pass a resolution of support for the grant application and approve the attached interlocal agreement with a total expenditure of not more than \$2,000.

**COST-SHARING AGREEMENT
FOR
WOODWARD NEIGHBORHOOD BICYCLE ROUTE
TRANSPORTATION ALTERNATIVES PROGRAM (TAP)
2015 PROJECT**

This Cost-Sharing Agreement (the “Agreement”) is made and entered into on _____, 2015 between the City of Ferndale (“Ferndale”), City of Hazel Park (“Hazel Park”), City of Huntington Woods (“Huntington Woods”), City of Oak Park (“Oak Park”), City of Pleasant Ridge (“Pleasant Ridge”), and the City of Royal Oak (“Royal Oak”), collectively referred to as “Local Communities”.

WHEREAS, through the 2012 federal transportation bill, Moving Ahead for Progress in the 21st Century (MAP-21), the Southeast Michigan Council of Governments (“SEMCOG”) was apportioned Transportation Alternatives Program (“TAP”) funding to be competitively awarded and SEMCOG is anticipating a reauthorization or extension of MAP-21 TAP funding for FY2016; and

WHEREAS, the Michigan Constitution of 1963, Article 7, § 28, and the Urban Cooperation Act of 1967, Act No. 7 of the Public Acts of 1967, being MCL 124.501 et seq. (the “Act”), permit a political subdivision to exercise jointly with any other political subdivision any power, privilege or authority which such political subdivisions share in common and which each might exercise separately;

WHEREAS, Ferndale has proposed a highly visible connected neighborhood bicycle route (“Woodward Corridor Neighborhood Bicycle Network”) that enhances linkages and will promote relationships in the Local Communities; and

WHEREAS, the Local Communities have determined this Woodward Corridor Neighborhood Bicycle Network further the public health, safety, and welfare, and promote efficiency and effectiveness transportation within the Local Communities.

THEREFORE, for the mutual consideration hereinafter stated, the Local Communities agree as follows:

**I.
AUTHORIZATION FOR IMPROVEMENTS**

The Local Communities authorize and agree to participate in the construction of the Woodward Corridor Neighborhood Bicycle Network as described in the attached Exhibit A. The project shall be designed and constructed in accordance with the standards in the American Association of State Highway and Transportation Officials (AASHTO) and met other requirements in the TAP funding conditions for implementation. If awarded by SEMCOG and 2016 MAP-21 TAP funding is secured for the Woodward Corridor Neighborhood Bicycle Network the Local Communities authorize Ferndale to administer

the TAP funding grant for the Woodward Corridor Neighborhood Bicycle Network. Ferndale shall:

- a. Coordinate meetings between appropriate Local Communities personnel to review and evaluate the status and progress of work on the Woodward Corridor Neighborhood Bicycle Network program.
- b. Provide, information, as requested, regarding Woodward Corridor Neighborhood Bicycle Network program construction timeline.
- c. Administer the design and construction contracts.

II. REIMBURSEMENT/PAYMENT

Each member of the Local Communities shall reimburse and make payment to Ferndale for the actual construction costs after the application of TAP funding amount for the construction work along with payment to Ferndale for the actual design and engineering work costs undertaken in its jurisdiction. This is expected to be a 30% match for the work undertaken in each of the Local Communities. The anticipated construction costs and design and engineering work costs (along with the anticipated 30% match amount for each member of the Local Communities) are attached as Exhibit B. If Ferndale pays any Local Communities matching contribution amount that particular member of the Local Communities shall pay Ferndale that amount paid by Ferndale within thirty (30) days of being invoiced by Ferndale.

III. RESERVATION OF RIGHTS, INSURANCE AND LIABILITY

No Waiver of Governmental Immunity. No provision of this Agreement is intended, nor shall any provision of this Agreement be construed, as a waiver of any governmental immunity as provided under law.

Agency. The Local Communities agree that at all times and for all purposes under the terms of this Agreement, no liability, right or benefit arising out of any agency relationship, either express or implied, shall arise or accrue as a result of this Agreement, except as provided in this Agreement. Ferndale shall have all necessary authority for the coordinating the construction improvements set forth in Exhibit A.

Liability and Insurance. The Local Communities shall each be solely responsible for the acts, and omission of their own employees, and agents. Each Party shall be responsible for maintaining liability insurance covering its activities as they relate to this Agreement.

IV. MISCELLANEOUS

Entire Agreement. This Agreement sets forth the entire agreement between the parties and supersedes any prior understandings.

Severability. If a Court of competent jurisdiction finds any provisions of this Agreement invalid or unenforceable, then that provision shall be deemed severed from this Agreement. The remainder of this Agreement shall remain in full force.

Governing Law. This Agreement shall be governed by Michigan law. Except as otherwise required by law or court rule, any action brought to enforce, interpret or decide any claim arising under this Agreement shall be brought in the Oakland County Circuit Court.

Amendment. The Agreement may be amended only upon written agreement authorized by the governing bodies of the Local Communities.

No Implied Waiver. Absent a written waiver, no failure or delay by a party to pursue or enforce any rights or remedies under this Agreement shall constitute a waiver of those rights with regard to any existing or subsequent breach of this Agreement. No waiver of any term, condition, or provision of this Agreement, whether by conduct or otherwise, in one or more instances shall be deemed or construed as a continuing waiver of any term, condition, or provision of this Agreement. No waiver by either Party shall subsequently affect its rights to require strict performance of this Agreement.

Notices. Notices given under this Agreement shall be in writing and shall be personally delivered, sent by express delivery service, certified mail, or first class U.S. mail postage prepaid to the parties.

Assignment and Subletting. This Agreement may not be assigned nor may duties or obligations hereunder be delegated without the prior written agreement of the parties.

Interpretation of Agreement. This is a negotiated Agreement. Should any part of this Agreement be in dispute, the Agreement shall not be construed more favorably for one party over any other, and the doctrine of construction against the drafter shall not apply.

No Third Party Beneficiaries. The parties do not intend to confer third party beneficiary status on any non-party to this Agreement.

City of Ferndale

City of Hazel Park

By: _____

By: _____

Mayor

Mayor

By: _____

By: _____

Clerk

Clerk

Date: _____

Date: _____

City of Huntington Woods

By: _____

Mayor

By: _____

Clerk

Date: _____

City of Oak Park

By: _____

Mayor

By: _____

Clerk

Date: _____

City of Pleasant Ridge

By: _____

Mayor

By: _____

Clerk

Date: _____

City of Royal Oak

By: _____

Mayor

By: _____

Clerk

Date: _____

2016 TAP Summary: Woodward Corridor Neighborhood Bicycle Network

Ferndale Community and Economic Development Department

September 29, 2015



FERNDALE

2016 TAP Grant Application

- ▶ CED staff recently completed an application through SEMCOG/MDOT to be awarded 2016 Transportation Alternatives Funding (TAP)
- ▶ Proposed transportation improvements that qualify must benefit pedestrian and cycling infrastructure, such as shared-use paths, streetscapes, etc.
- ▶ City of Ferndale has previously been awarded for street improvement projects on West Nine Mile Road and Livernois Street



Project Purpose

- ▶ Enhance quality of life for residents, businesses and visitors along in Ferndale and surrounding Woodward Corridor by creating a connected neighborhood bicycle route with adjacent cities:
 - ▶ Hazel Park
 - ▶ Huntington Woods
 - ▶ Oak Park
 - ▶ Pleasant Ridge
 - ▶ Royal Oak

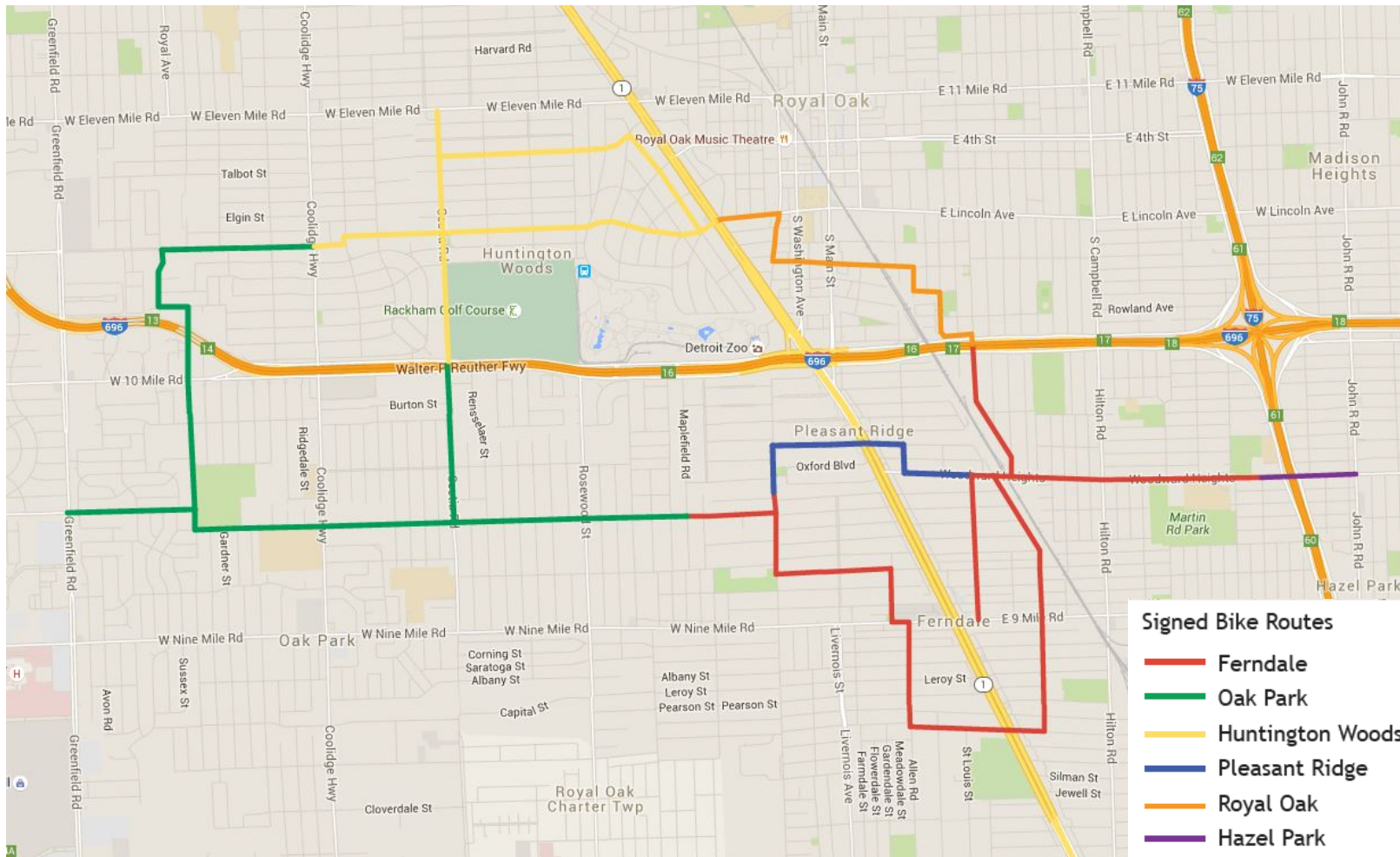


Woodward Corridor Neighborhood Bicycle Network

- ▶ The goal is to create a highly visible, connected neighborhood bicycle route that enhances linkages and builds relationships with communities surrounding Woodward Corridor:
 - ▶ 17.1 Mile Loop includes:
 - ▶ Central Business Districts
 - ▶ Employment Centers
 - ▶ 13 Parks
 - ▶ 10 Schools
 - ▶ 2 Libraries
 - ▶ 1 University




Proposed Woodward Corridor Bicycle Network



Grant Funded Elements

- ▶ Participating items of work for the project include:
 - ▶ Local bike route signage
 - ▶ Shared lane markings and bike lanes
 - ▶ High visibility crosswalks
 - ▶ Wayfinding hubs



 LOCAL BIKE ROUTE	
North Park	0.5 →
Library	1.3 →
Downtown	2.1 →



Wayfinding Signage Benefits

- ▶ There are a variety of beneficial reasons for communities to install wayfinding signage on a bicycle network:
 - ▶ Familiarize users with the bicycle network
 - ▶ Identify the best routes to destinations
 - ▶ Overcome a “barrier to entry” for infrequent bicyclists
 - ▶ Denote mileage and travel time to destinations to help educate and minimize the tendency to overestimate bicycle travel time
 - ▶ Visually indicate to motorists the presence of a bicycle route and use caution
 - ▶ Market the bicycle network and neighborhoods by providing unique and consistent imagery throughout the jurisdiction

Complete Streets Coordination

- ▶ The Woodward Corridor Neighborhood Bicycle Network supports the City of Ferndale's Complete Streets ordinance by improving roadways to "safely accommodate all users of the right-of-way"
 - ▶ Enhances collective space to give pedestrians and cyclists an equitable share of streets
 - ▶ Aligns with recent non-motorized projects:
 - ▶ TAP funded: West Nine Mile Rd, Livernois Street (from Eight to Nine Mile), Fourth Street (Royal Oak)
 - ▶ Non-TAP funded: Hilton Road, East Nine Mile Road



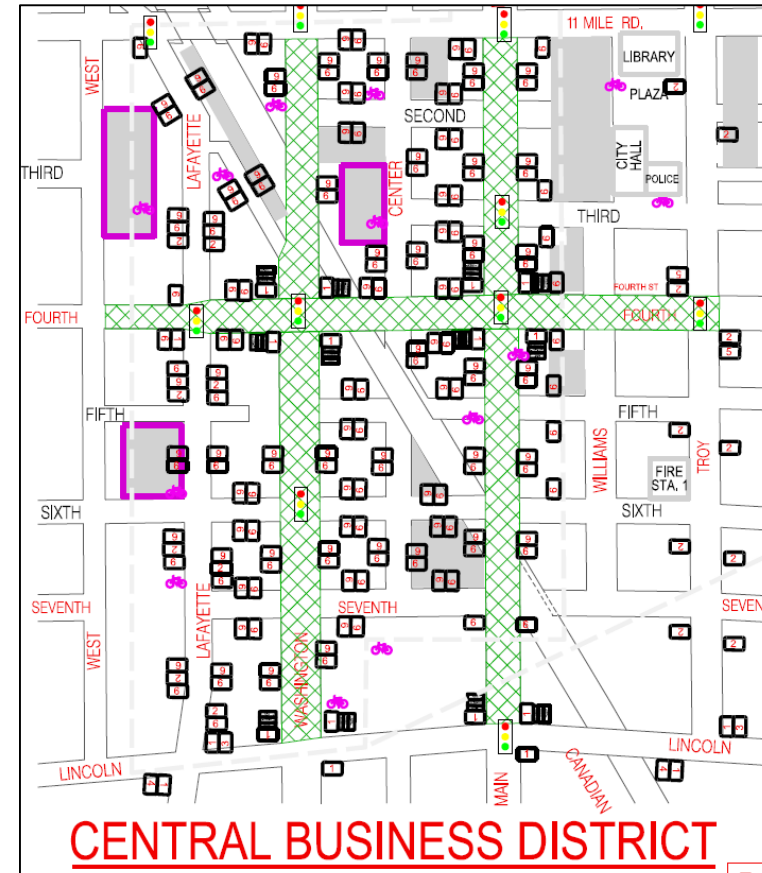
Livernois Street Improvements



W. Nine Mile Improvements

Project Alignment With Existing Plans

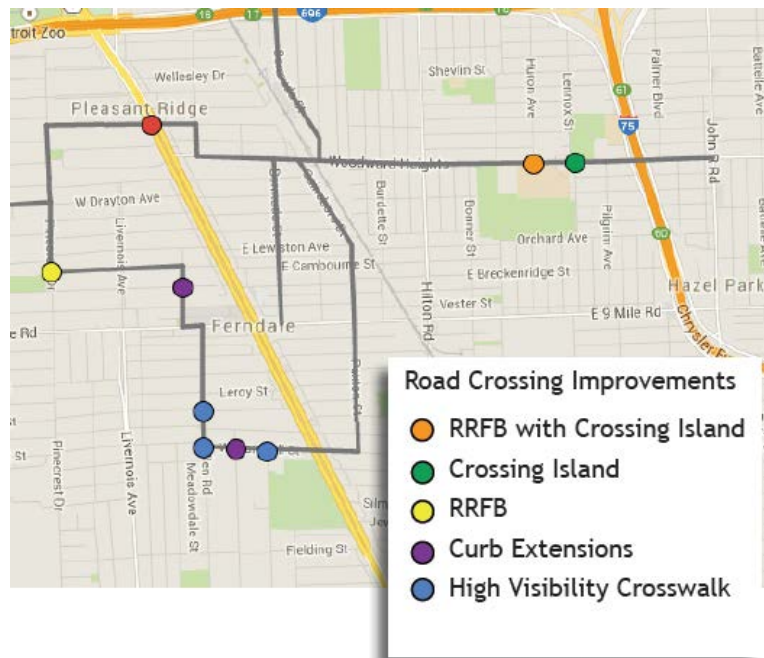
- ▶ The Woodward Corridor Neighborhood Bicycle Route is pursuant of regional transportation coordination and aligns with many of the participating communities' specific plans:
 - ▶ City of Ferndale Non-Motorized Plan and 2008 Master Plan
 - ▶ Huntington Woods 2014 Master Plan
 - ▶ Oak Park 2014 Strategic Economic Development Plan
 - ▶ Oakland County Routes Map
 - ▶ Pleasant Ridge 2015 Community Master Plan
 - ▶ Royal Oak 2012 Non-Motorized Plan
 - ▶ SEMCOG Regional Non-Motorized Plan for Oakland County



City of Royal Oak 2013 Non-Motorized Plan

Ferndale Proposed Improvements

- ▶ Aside from updating signage to MMUTCD standards and including more way-finding information, the City's grant proposal includes enhancements as part of Ferndale's Non-Motorized Plan:
 - ▶ Shared lane markings and bike lanes
 - ▶ Improved pedestrian crossings with flashing beacons and curb extensions
 - ▶ Wayfinding Hubs with maps, repair stations, and bike parking



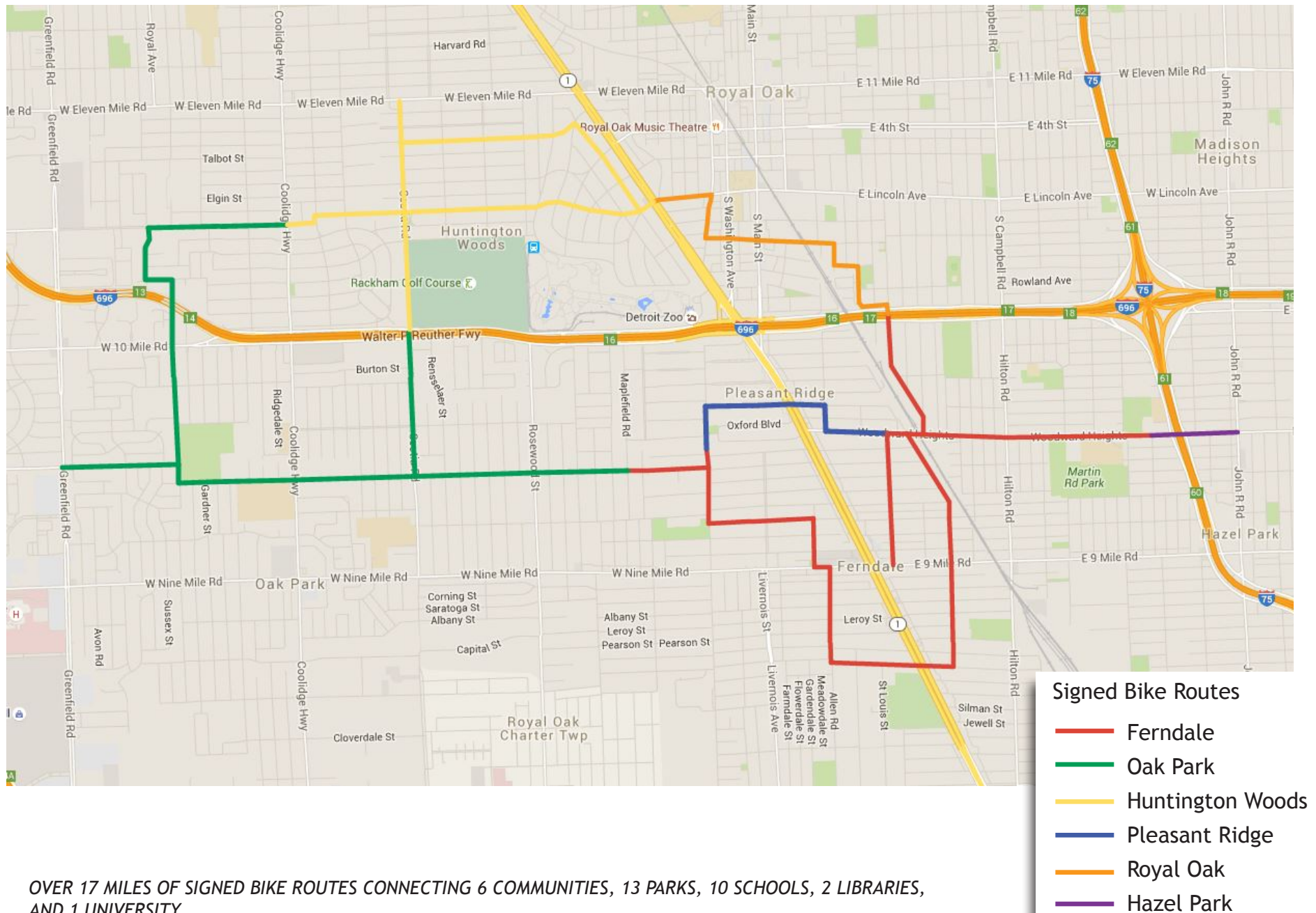
Project Summary

- ▶ The Woodward Corridor Neighborhood Bicycle Network is a competitive project and efficient use of grant funds to better connect six adjacent communities
- ▶ The project showcases unique collaboration between these six communities in the creation of a 17 mile loop
- ▶ The route provides better circulation among communities and provides a safe route for levels of cycling comfort
- ▶ The six communities are backing up their commitment to Complete Streets and Non-Motorized Improvements with a 30% match

Tentative Milestone Timeline

- ▶ Nov. 2015 - Plans and Estimate Complete
- ▶ Nov. 2015 - Grade Inspection Package submitted to MDOT
- ▶ Jan. 2015: Right of Way Certified
- ▶ Jan. 2015: Matching Funds Certified
- ▶ Jan. 2016: Project Listed in Approved TIP/STIP
- ▶ Feb. 2016: Advertisement Start Date
- ▶ Apr. 2016: Construction Letting Date
- ▶ May. 2016: Construction Start Date
- ▶ Jul. 2016: Construction End Date

PROPOSED SIGNED BIKE ROUTE NETWORK





City of Pleasant Ridge

James Breuckman, City Manager

From: Jim Breuckman, City Manager
 To: City Commission
 Date: October 7, 2015
 Re: Dangerous Dog Ordinance Options

Overview

Please review the attached background information, memo from the City Attorney, and three ordinance options to address dangerous or potentially dangerous dogs.

Background

The City Attorney has identified three potential models for dangerous dog ordinances. Please refer to his memo for more background on the ordinance options.

In addition, Staff has attached the following background resources for your review:

- **American Veterinary Medical Association – Breeds of Dogs Involved in Fatal Human Attacks in the US between 1979 and 1998.** Overview of fatal dog attacks shows that pit-bull type dogs and Rottweilers caused the majority of human deaths, however, the report concludes that other breeds may bite and cause fatalities at higher rates. Fatal attacks represent a small proportion of dog bite injuries to humans and should not be the primary factor driving public policy concerning dangerous dogs. Difficulties inherent in determining a dog's breed with certainty raises constitutional and practical issues with the enforcement of breed-specific ordinances.
- **American Veterinary Medical Association – A Community Approach to Dog Bite Prevention.** A substantial overview of the many and varied aspects of the dog bite issue, including recommended regulatory approaches. Its length and complexity defy easy summation.
- **Official White House Response to a petition request to ban BSL at the Federal Level** (reproduced from: <https://petitions.whitehouse.gov/response/breed-specific-legislation-bad-idea>)
- **American Society for the Prevention of Cruelty to Animals (ASPCA) – Dealing with Reckless Owners and Dangerous Dogs in Your Community.** Brief summary of the research and recommendation on a breed-neutral approach.

Requested Action

Staff requests that the City Commission review the attached materials and provide direction. Options include doing nothing and operating under existing State dog law, or to move forward with one of the three potential regulatory approaches identified by the City Attorney.

MEMORANDUM

TO: Pleasant Ridge City Commission
FROM: Gregory K. Need, City Attorney
RE: Dangerous Dog Regulations
DATE: October 6, 2015

As requested at the September City Commission meeting, this outlines options available to the Commission to adopt additional regulations dealing with dangerous dogs, prompted by a resident letter regarding pit bulls in her neighborhood.

As noted at the September meeting, the City Code currently has no specific provisions dealing with dangerous dogs. There is a state statute dealing with dangerous animals generally, including dogs that can be enforced in the City by Oakland County Animal Control. A copy of the state law is attached. To be deemed a “dangerous dog”, a dog has to first actually bite or attack a person or another dog. After a hearing, if the dog is deemed “dangerous”, the judge or magistrate can require various measures, including additional insurance, sterilization, a requirement for escape-proof fencing, up to and including destruction of the animal. As discussed, this is a reactive statute in that injury has to have already occurred before the dog is determined to be dangerous and these additional measures imposed.

If additional local regulation is desired, it could take three forms. Samples of each from various Oakland County communities are included for your reference. These are:

1. **Breed-Specific Ban or Regulation** (primarily directed at so-called “pit bulls”). A copy of one of the first ordinances adopted in Michigan, from Waterford Township, is attached, which utilizes this approach. The Waterford Township ordinance prohibits all pit bulls with limited exceptions, mostly for dogs participating in events like dog shows. A few communities do not ban pit bulls or other breeds, but impose specific restrictions, such as those discussed below, on specific identified breeds.
2. **Local Dangerous Dog Ordinances.** A local dangerous dog ordinance generally utilizes the approach of state law, but with modifications with regard to procedure and licensing. Rochester Hills has adopted such an ordinance. In addition to the state law remedies, Rochester Hills requires the owner of a dangerous dog to obtain a dangerous dog registration certificate and lists some other specific available requirements in Section 14-49, including a requirement to complete a dog obedience program, some more specifics on enclosures, signage, and marking of the dog. The Rochester Hills statute is also reactive in that “dangerous dog” is defined as a dog that has already bitten, attacked or inflicted serious injury on a person or person’s dog, cat or livestock.
3. **Dangerous/Potentially Dangerous Animals.** The third approach addresses both dangerous and potentially dangerous animals. Farmington Hills has adopted such an

ordinance. One of the individuals who spoke in opposition to breed-specific pit bull ordinances at the September meeting indicated that either she or her group had participated in the drafting of the Farmington Hills ordinance. This ordinance carries forward the definition of dangerous animals, but also includes a new category of “potentially dangerous animal”, meaning a dog or animal that 1) causes injury to a person or domestic animal less severe than a serious injury; 2) without provocation chases or menaces a person or other animal in an aggressive manner; or 3) which is found to have been running at large more than three times within any twelve month period. In Farmington Hills, an enforcement officer can serve a notice that a dog is dangerous, or potentially dangerous, following which the dog owner has the right to request a review hearing before the Farmington Hills Animal Review Board as to such determination. Once a dog or other animal has been deemed to be dangerous or potentially dangerous, there are, again, specific measures that can be required including enclosures, insurance, dog obedience training, etc. These are found in Sections 6.54 of the ordinance, as to dangerous animals, and 6.55 dealing with potentially dangerous animals.

A summary of some of the advantages and disadvantages of these various approaches is found below. If the Commission desires additional regulations, in my opinion the Farmington Hills approach (modified perhaps to remove the requirement of a specific animal review board, which may not be practical for our City) has merit as it avoids the issues with breed-specific ordinances while providing an approach that is not entirely reactive.

Advantages and Disadvantages of Approaches

Initially, there will be additional costs to the city to enforce any additional local regulations. Oakland County Animal Control will enforce the state law, but not local ordinances. Accordingly, the City would bear these enforcement costs on its own, which can include (1) additional trained animal control staff; (2) kenneling of dogs awaiting a breed determination or determination as to classification as “dangerous” or “potentially dangerous” and for dogs whose owners appeal those determinations; and (3) attorney fees and court costs.

A. Breed-Specific Legislation.

Many communities have adopted breed-specific ordinances. They have been challenged on various constitutional grounds in several states. In most cases, the ordinances have been upheld as constitutional in the face of arguments that they are overbroad (banning a breed when not all dogs within that breed are dangerous) or on denial of various due process claims. However, even where the ordinance has been upheld, communities were required to spend considerable sums and attorney fees and court costs in defense. In many of the cases where an ordinance was successfully challenged on due process grounds, it was often because the ordinance failed to provide a precise enough definition of the banned breed.

One issue with these ordinances is that there is no breed known as a “pit bull”. Pit bull is a common term that usually encompasses various specific breeds such as the American

Staffordshire terrier, the Staffordshire bull terrier and the American pit bull terrier. One definitional problem is that neither the American Kennel Club nor the United Kennel Club recognizes all three breeds and the breed descriptions and standards provided by the organizations differ.

Many commentators have challenged the wisdom of breed-specific legislation. They point out that several medical studies do not include breed as a relevant factor in biting propensity, instead listing heredity, sex, early experience, socialization and training, health, reproductive status, quality of ownership and supervision, and victim behavior as the relevant factors. Numerous national organizations have taken positions in opposition to breed-specific legislation, including the American Bar Association, American Kennel Club, the American Veterinary Medical Association, the Center for Disease Control and Prevention, and the ASPCA. A copy of an ASPCA publication detailing its objection to breed-specific legislation is included with this memo.

In response to a citizen petition, the White House issued a statement in 2013, stating that the Obama administration also does not support breed-specific legislation, noting that:

“...research shows that bans on certain types of dogs are largely ineffective and often a waste of public resources.

In 2000, the Centers for Disease Control and Prevention looked at twenty years of data about dog bites and human fatalities in the United States. They found that fatal attacks represent a very small proportion of dog bite injuries to people and that it's virtually impossible to calculate bite rates for specific breeds.

The CDC also noted that the types of people who look to exploit dogs aren't deterred by breed regulations -- when their communities establish a ban, these people just seek out new, unregulated breeds. And the simple fact is that dogs of any breed can become dangerous when they're intentionally or unintentionally raised to be aggressive.

For all those reasons, the CDC officially recommends against breed-specific legislation -- which they call inappropriate.”

A Prince George's County, Maryland task force found that between 1988 and 1993 pit bulls typically ranked no higher than fifth among breeds most responsible for severe bites. The task force recommended repealing that county's ban based upon numerous cost concerns. It found

(1) the cost of maintaining a single pit bull through the entire appeal and determination process was approximately \$68,000; and (2) fees from pit bull registrations over a two year period generated only \$35,000, while the cost to the city's animal management division was about \$560,000. These costs did not include expenditures such as payroll, cross-agency costs and utilities. Some commentators also point to indirect costs of a breed-specific ban, which could include loss of inhabitants as residents move outside city limits to protect their dogs.

Many commentators have noted that enforcement can be difficult, unless a dog subject to a breed-based ordinance is registered, spotted by law enforcement officials or neighbors, or voluntarily turned in. In 2002, authorities estimated that in Miami, Dade County, Florida (which enacted a pit bull ban in 1988) approximately 50,000 pit bulls remained in the county illegally.

Prince George's County, which had banned both pit bulls and Rottweilers, noted that since the ban's institution, an introduction of large, powerful dogs not subject to the ban had been taking place.

Because of these policy considerations, at least eighteen states have adopted legislation that prohibits local governments from enacting breed-specific ordinances. In one circumstance the City of Denver, Colorado successfully challenged the statewide prohibition and was allowed to retain their local breed-specific ordinance.

B Breed-neutral dangerous animal ordinances or a dangerous/potentially dangerous animal ordinance.

The basic components of these ordinances are very similar, the major difference being the inclusion of a category of "potentially dangerous" animals in the latter. One advantage of this kind of approach is that it avoids many of the issues described above inherent in a breed-specific ban or regulation, notably the constitutional challenges. One advantage of "potentially dangerous" category is that it would allow for at least some kind of preliminary determination that additional regulations may be necessary for a particular dog before that dog has actually inflicted serious harm on an individual or another person.

As previously noted, the "dangerous dog only" approach is still reactive; its major advantage is allowing local licensing and additional local requirements for dangerous dogs beyond what Oakland County Animal Control might request under the state law.

Another specific issue with the "potentially dangerous" classification is that, as noted by Commissioner Foreman at the last meeting, it involves a degree of subjectivity. For example, the criterion of chasing or menacing in an aggressive manner obviously is subject to a subjective determination. However, if the Commission wishes to adopt the "potentially dangerous" approach, there is no way to avoid some subjective element in making that determination.

Another disadvantage is the additional administrative task of determining whether a particular dog is “dangerous” or “potentially dangerous”. The City would need to hire or contact with a trained individual to do so. The Farmington Hills approach established a local Animal Review Board to which appeals from the enforcement officer’s determination could be taken. A separate Review Board is not required however; the Commission could serve that function. However, I do recommend some sort of administrative appeal be available.

Summary: For all these reasons, in my opinion, if the Commission wishes additional regulations, the Farmington Hills approach would provide proactive, meaningful additional regulation without the disadvantages of the breed-specific approach.

CHAPTER 3 ANIMALS

Art. I. In General, §§ 3-001--3-005	Page 3-1 through 3-3
Art. II. Dogs and Cats, §§ 3-011--3-015	Page 3-3 through 3-4
Art. III. Pit Bull Terriers, Poisonous/Exotic and Dangerous Animals, §§ 3-021--3-027	Pages 3-4 through 3-8
Appendix A.....	Pages 3-9 through 3-11

ARTICLE I IN GENERAL

**Editor's note: The 2014 ordinance recodification amended the Code transferring the definitions formerly located in Article III of this Chapter, formerly § 3-077, which were derived from Comp. Ords. 154, § 3.00(A)--(F), (H)--(K), and ordinances of January 22, 1990 and January 13, 1992; into this Article pertaining to similar subject matter and derived from the same historical ordinance sources, along with additional definitions so that all definitions contained herein are applicable to this Chapter.*

Sec. 3-001. Definitions

In addition to those rules of construction and definitions contained in Section 1-002, the following definitions shall apply to this Chapter:

Animal means any one (1) or more of a kingdom of living beings (except humans) differing from plants in capacity for spontaneous movement and rapid motor response to stimulation.

Animal Control Officer means a Township official, employee, or contractor authorized by the Township Board to enforce the provisions of this Chapter who (i) satisfies the minimum requirements for physical, educational, mental and moral fitness for an animal control officer and (ii) is a police officer, has served as an animal control officer for at least 3 years, or has completed a minimum course of study of not less than 100 instructional hours as prescribed by the State Department of Agriculture for animal control officers.

Dangerous Animal means a dog or other animal that bites or attacks a person, or a dog that bites or attacks and causes serious injury or death to another dog while the other dog is on the property or under the control of its owner. However, a dangerous animal does not include any of the following:

- (i) An animal that bites or attacks a person who is knowingly trespassing on the property of the animal's owner.
- (ii) An animal that bites or attacks a person who provokes or torments the animal.
- (iii) An animal that is responding in a manner that an ordinary and reasonable person would conclude was designed to protect a person if that person is engaged in a lawful activity or is the subject of an assault.
- (iv) Livestock.

Domestic Animal As more specifically defined in the Waterford Township Zoning Ordinance, means a household or container pet and hooved or small livestock.

Exotic Animals generally means the species of animals which are not native to the state or the United States and/or are introduced from another country.

Hybrid(s) means any animal which is the offspring of two (2) different varieties or species.

Kennel means a lot where domestic animals are housed, groomed, bred, boarded, trained, or sold for a fee or compensation.

On a Suitable Leash means both: (1) That the animal is attached to a leash that is no more than fifteen (15) feet in length and of such material that the leash is capable of restraining, and does restrain the type and size of animal to which it is attached; and (2) That such a leash is continuously held by a person who is reasonably able to and does restrain and prohibit the animal from being out of that person's physical control.

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CHAPTER 3 ANIMALS

(CHAPTER 3, ARTICLE I, SECTION 3-001 cont.)

Owner means any person who owns, has right of property in, harbors, or has care or custody of an animal, or who knowingly permits an animal to remain on or about any premises occupied or controlled by him.

Pit Bull or Pit Bull Terrier means any dog which exhibits those phenotypical characteristics which:

- (1) Substantially conform to the breed standards established by the American Kennel Club for American Staffordshire Terriers or Staffordshire Bull Terriers.
- (2) Substantially conform to the breed standards established by the American Kennel Club for American Pit Bull Terriers. The standards of the American Kennel Club referred to herein as "Appendix A," shall remain on file with the Township Clerk. Technical deficiencies in the dog's conformance to the standards of this definition shall not be construed to indicate that the subject dog is not a "pit bull terrier" under this Article.

Poisonous means a substance which, through its chemical action, usually kills, injures or substantially impairs an organism.

Possess or Maintain means the act or ability of having or exerting control and influence over an animal regulated herein, without regard to ownership.

Reasonable Control of a Dog means keeping an animal on a suitable leash.

Reasonable Control of a Cat, recognizing the nature of this animal, requires that the owner take all reasonable efforts to ensure that a cat does not become a nuisance to any other person by a violation of or destruction to private or public property.

(Ord. No. 154, § 3.00(A)--(F), (H)--(K), 1-22-1990; Ord. of 1-13-1992)

Sec. 3-002. Cruelty to animals; Misdemeanor.

No owner or person shall treat an animal in a cruel or inhumane manner, or willfully or negligently overwork, torture, torment, deprive of necessary sustenance, or adequate shelter, cruelly beat, mutilate, or cruelly kill any animal. The physical alteration of animal body parts shall be considered to be a mutilation or cruelty to an animal within the meaning of this Section, unless such physical alteration is performed by a licensed veterinary surgeon. Violation of this Section is a misdemeanor punishable as provided in Section 1-010(a).

(Ord. of 2-26-1996)

Sec. 3-003. Kennels; Civil Infraction.

No person shall own or operate any kennel in the Township without first complying with the Zoning Ordinance and obtaining and complying with all conditions of site plan and other applicable zoning approvals. Violation of this Section is a civil infraction punishable as provided in Section 1-010(b).

(Ord. of 2-26-1996; Ord. of 3-10-2003; Ord. of 12-13-2010)

Sec. 3-004. Excessive number of household pets; Civil Infraction.

Except for lawful kennels and litters of puppies or kittens up to five (5) months old, no person shall possess, keep, or house more than three (3) household pets (dogs, cats) of the same species, or more than a total of five (5) household pets on a zoning lot. Violation of this Section is a civil infraction punishable as provided in Section 1-010(b).

(Ord. of 2-26-1996; Ord. of 3-10-2003; Ord. of 12-13-2010)

Secs.3-005. Livestock; Civil Infraction.

A violation of this Section is a civil infraction, punishable as provided in Section 1-010(b). As defined and provided in the Zoning Ordinance:

(CHAPTER 3, ARTICLE I, SECTION 3-005 cont.)

- (a) No person shall possess or keep small livestock on a zoning lot or parcel less than five (5) contiguous acres in size without a special approval use and complying with all special approval use conditions on allowed number, maintenance, location, and containment area requirements.
- (b) No person shall possess or keep hoofed livestock on a zoning lot or parcel less than five (5) contiguous acres in size, or where the average zoning lot size within a ¼ mile radius of the property is less than three (3) acres.
- (c) On a zoning lot or parcel that is at least five (5) contiguous acres in size in a neighborhood where the average zoning lot size within a ¼ mile radius is at least three (3) acres, no person shall possess or keep more than three (3) hoofed livestock.

(Ord. of 12-13-2010)

Secs. 3-006--3-010. Reserved.

ARTICLE II DOGS AND CATS

Sec. 3-011. Licensing of dogs; Misdemeanor.

It shall be unlawful for any person to own or keep a dog which is six (6) months of age or older that is not vaccinated for rabies and licensed, or that does not wear a collar with the license tag attached at all times the dog is not on the owner's property or engaged in lawful hunting accompanied by the owner, as required and provided for in the Dog Law of 1919, Public Act No. 339 of 1919, as amended. Violation of this Section is a misdemeanor punishable as provided in Section 1-010(a), except the minimum fine is \$10.00 and the maximum fine is \$100.00.

Sec. 3-012. Vaccination certification of cats; Civil Infraction.

No owner shall keep a cat which is six (6) months or older without obtaining a certificate of vaccination for rabies and being able to produce such proof of vaccination at the request of an animal control officer. Violation of this Section is a civil infraction punishable as provided in Section 1-010(b).

Sec. 3-013. Confinement and reasonable control of dogs and cats; Civil Infraction.

- (a) The owner of a dog shall keep it confined upon the owner's premises at all times except when the dog is otherwise under reasonable control or is on other private property with the express permission of the owner or occupant of that private property.
- (b) The owner of a cat shall be responsible for reasonable control of the cat at all times.
- (c) No owner of a dog shall cause or allow such dog to defecate on public property, including a street, sidewalk, path, play area, park, or any place where people congregate or walk, or upon any private property without permission of the owner of such property unless:
 - (1) The owner immediately removes all fecal material droppings deposited by such dog by any sanitary method. The person shall possess a container of sufficient size to collect and remove above-mentioned droppings and exhibit the container, if requested by any official empowered to enforce this Article.
 - (2) The droppings removed shall be disposed of in a sanitary method on the zoning lot of the owner.
- (d) Violation of this Section is a civil infraction punishable as provided in Section 1-010(b).

(CHAPTER 3, ARTICLE II, cont.)

Sec. 3-014. Nuisance dogs; Civil Infraction.

- a). No owner of a dog shall allow, permit or suffer the dog to bark often enough or loud enough to constitute a nuisance to occupiers of adjoining or surrounding lands or buildings.
- b). No owner of a dog shall permit the dog to run freely or unrestrained upon the public or private ways, or private property of another without consent of the property owner.
- c). Yards and/or exercise dog runs shall be kept free of dog droppings, uneaten food, and maintained in a sanitary manner so as not to be a nuisance because of odor or attraction for flies and vermin.
- d). Violation of this Section is a civil infraction punishable as provided in Section 1-010(b).

Sec. 3-015. Nuisance dogs (Public); Misdemeanor.

The owner of a dog shall exercise proper and necessary care and control of the dog to prevent it from becoming a public nuisance. Excessive, continuous or untimely barking, chasing or attacking pedestrians or bicyclists, chasing vehicles, habitually attacking other domestic animals, trespassing upon school or park grounds, or trespassing upon private property in such manner as to damage property shall be deemed to constitute a public nuisance. Violation of this Section is a misdemeanor punishable as provided in Section 1-010(a).

Secs. 3-016--3-020. Reserved.

ARTICLE III. PIT BULL TERRIERS, POISONOUS/EXOTIC AND DANGEROUS ANIMALS

Sec. 3-021. Purpose.

The purposes of this article are declared to be as follows:

- (a) To identify and enumerate certain animals which, by their nature, are sufficiently dangerous, undesirable or unsuitable for incorporation into the residential, agricultural or commercial life of this community.
- (b) To impose prohibitory measures to discourage and ban the possession and maintenance of animals considered as exotic and not easily domesticated.
- (c) To describe and classify the breeds of dog generally known as pit bulls or pit bull terriers which are determined to pose an unacceptable risk to the health, safety and welfare of the citizens of this community.
- (d) To provide for restrictions on the care and custody of existing licensed pit bull terrier dogs on the owners or possessors thereof.
- (e) To impose a ban on the prospective possession and maintenance of those breeds of pit bull terrier dogs so classified.
- (f) To establish guidelines and procedures to be utilized by animal control personnel in implementing this article.
- (g) To provide for penalties and sanctions for violations hereof.
(Ord. No. 154, § 2.00, 1-22-1990)

Sec. 3-022. Legislative classification and findings.

- (a) With the increasing urbanization and population density of the Township, the residents of the Township must be protected from the attack and threat of injury or disease from certain exotic animals possessed or maintained as domestic animals.
- (b) This article is enacted following the passage of Act 381 of the Public Acts of 1988 (MCL 750.49) by the state legislature which provides for substantial penalties to be imposed against persons who promote the possession or use of dogs bred for fighting or baiting.

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(CHAPTER 3, ARTICLE II, SECTION 3-022 cont.)

- (c) This article is enacted following the passage of Act 426 of the Public Acts of 1988 (MCL 287.321 et seq.) by the Michigan Legislature which provides for additional penalties and procedures for the protection against dangerous animals.
- (d) The Township staff has collected detailed and reliable data from many sources on the number, nature and severity of attacks by pit bull terriers upon innocent citizens of this community, the Metropolitan-Detroit area, and other communities and urban areas within the state, and the United States of America.
- (e) Based upon this data, the Township concludes that pit bull terriers within this community constitute an unacceptable risk of harm and fear to the residents hereof, and must therefore be closely regulated as provided herein.
- (f) The Township finds, from many reliable sources, ample evidence to support the following facts about pit bull terriers:
 - (1) Pit bull terriers were, for centuries, developed and selectively bred for the express purpose of attacking other dogs or other animals such as bulls, bears or wild hogs.
 - (2) In developing a dog for this purpose, certain traits were selected and maximized by controlled breeding including extremely powerful jaws, a low sensitivity to pain, extreme aggressiveness towards other animals, and a natural tendency to refuse to terminate an attack once it has begun.
 - (3) Based on the statistical evidence that pit bull dogs are the leading cause of dog bite related fatalities in the United States, and other evidence in the form of individual experiences, the pit bull is infinitely more dangerous once it does attack.
 - (4) The pit bull terriers' massive canine jaws can crush a victim with up to two thousand (2,000) pounds of pressure per square inch, three (3) times that of a German shepherd or doberman pinscher, making the pit bull's jaws the strongest of any animal, per pound.
 - (5) The breeds are almost impossible to confine without resorting to fortress-like measures; pit bull terriers can climb over high chain link fences and trees, tear metal sheeting with its teeth, attack through chain link fencing, tear loose its collars, and dig under fences and walls, requiring the adoption of breed-specific restrictions on the care and custody of licensed pit bull terriers for the protection of the citizens of this community.
- (g) These findings and facts lead the Township to conclude that a prohibition on the possession, maintenance and harboring of pit bull terriers, as defined herein, is reasonable and necessary for the protection of the public health, safety and welfare. The Board is fully aware that the breed of dog called a "bull terrier," usually considered to be of the same phenotype as the specific breeds banned herein, is not included within the prohibition of this article. The Board finds that this breed is not commonly found or bred at this time in the state nor the United States, and therefore does not pose the same risks.

Sec. 3-023. Pit bull terriers prohibited; Civil Infraction.

- (a) It shall be unlawful for any person to own, possess or maintain, within the Township, any pit bull terrier, as defined herein.
- (b) This section shall not be construed to apply to any person who is both within the territorial boundaries of the Township and in possession of any dog for the primary purpose of exhibiting or showing said dog at a dog show or similar event sponsored by a nationally recognized kennel club or dog breeders association, or its local affiliate or chapter.
- (c) Violation of this Section is a civil infraction punishable as provided in Section 1-010(b), and/or by destruction or removal as provided in Section 3-027.

Sec. 3-024. Pit bull terrier determination guidelines.

The following procedures and standards shall be used by all animal control officers in determining whether a particular animal is subject to the requirements of this article.

- (a) An animal control officer will initially determine why the dog is being considered for possible inclusion within this article. Factors to be considered include, but are not limited to the following or a combination of the following:

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(CHAPTER 3, ARTICLE II, SECTION 3-024 cont.)

- (1) Registration of the animal as a pit bull terrier, as defined.
- (2) Identification of the animal as a pit bull terrier, as defined, by the owner, keeper, or harbinger of the dog.
- (3) Positive identification of the animal as a pit bull terrier by an officer of the department pursuant to the procedures set forth in this section.
- (4) Identification by a lay witness who has personal knowledge that the dog is a pit bull terrier (Examples: Owner has referred to dog as pit bull in witness's presence).
- (5) Positive identification of dog as pit bull terrier by licensed veterinarian.
- (b) Positive identification of an animal as a pit bull by an officer shall include any or all of the following:
 - (1) Verification of inclusion by comparison of the physical characteristics of the subject dog with the breed standards in Appendix "A."
 - (2) Personal and professional experience of the officer in having observed pit bull terriers in the past.
 - (3) Identification of animal as a pit bull terrier by owner, keeper, or harbinger.
- (c) If an owner, keeper, or harbinger of an animal denies it is subject to the ordinance, an officer shall not consider the animal within the parameters of the ordinance unless the following conditions are met:
 - (1) The officer believes the animal is a pit bull after comparing the physical characteristics of the animal with the identification material set forth herein.
 - (2) The officer identification of the animal as a pit bull is verified by an animal control officer or if an animal control officer is not available, by another department officer after comparing the animal to identification materials, provided that any animal identified as a pit bull by a department officer whose owner, keeper, or harbinger continues to deny the animal's identification as a pit bull shall be afforded the immediate opportunity to be brought before a licensed veterinarian approved by the Township for identification purposes. The officer shall accept the breed identification of the veterinarian. If an officer cannot determine the predominate breed of the animal in question as pit bull terrier, the animal shall not be subject to the provisions of this article unless the animal is later positively identified as a pit bull by a licensed veterinarian approved by the Township.
- (d) All animal control officers shall be familiar with and consult the breed identification materials in Appendix "A" and shall become familiar with the pit bull terrier, as defined, by reference to photographs, physiological diagrams and breed behavior patterns.

Sec. 3-025. Prohibited poisonous and exotic animals; Civil Infraction.

- (a) It shall be unlawful for any person to own, possess, or maintain any of the following animals within the Township:
 - (1) All animals, including snakes and spiders, whose bite or venom is poisonous or deadly to humans.
 - (2) Apes: Chimpanzees (Pan); gibbons (Hylobates); gorillas (Gorilla); orangutans (Pongo); and siamangs (Symphalangus).
 - (3) Baboons (Papoi, Mandrillus).
 - (4) Bears (Ursidae).
 - (5) Cheetahs (Acinonyxjubatus).
 - (6) Crocodilians (Crocodylus), and alligators.
 - (7) Constrictor snakes, or other poisonous reptiles.
 - (8) Coyotes (Canislatrans).
 - (9) Elephants (Elephas and Loxondonta).
 - (10) Gamecocks and other fighting birds.
 - (11) Hyenas (Hyaenidae).
 - (12) Jaguars (Pantheraonca).
 - (13) Leopards (Pantherapardus).
 - (14) Lions (Pantheraleo).
 - (15) Lynxes (Lynx).
 - (16) Ostriches (Sruthio).
 - (17) Pumas (Felisconcolor); also known as cougars, mountain lions, and panthers.
 - (18) Wolves (Canis lupus).

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(CHAPTER 3, ARTICLE II, SECTION 3-025 cont.)

- (19) Wolf hybrids.
- (20) Raccoons (*Procyon lotor*).
- (21) Skunks (*Genus Mephitis*).
- (22) Tigers (*Felistigris*).
- (b) The prohibitions above shall not apply to pet shops licensed by the S.E.A., zoological gardens licensed by the U.S. Department of Agriculture, and accredited by the American Association for the accreditation of zoological parks and gardens, and circuses licensed by the U.S. Department of Agriculture if:
 - (1) Their location conforms to the provisions of the zoning ordinance of the Township.
 - (2) All animals and animal quarters are kept in a clean and sanitary condition and so maintained as to eliminate objectionable odors.
 - (3) Animals are maintained in quarters so constructed as to prevent their escape, and so as to humanely provide for their biological and social needs.
 - (4) No person lives or resides within one hundred (100) feet of the quarters in which the animals are kept.
- (c) The prohibitions above shall not apply to any person who is in possession of an injured animal listed in this section under a valid caregiver's permit issued by the S.E.A.
- (d) Violation of this Section is a civil infraction punishable as provided in Section 1-010(b), and/or by destruction or removal as provided in Section 3-027.

Sec. 3-026. Dangerous animals; Civil Infraction and Misdemeanors.

- (a) It shall be unlawful for any person to own, possess, or maintain a dangerous animal in the Township. The first violation of this Section for a specific animal is a civil infraction punishable as provided in Section 1-010(b) and/or by destruction or removal as provided in Section 3-027.
- (b) A second or subsequent violation of subsection (a) for a previously adjudicated dangerous animal is a misdemeanor, punishable as provided in Section 1-010(a) and/or by destruction or removal as provided in Section 3-027.
- (c) The owner of a previously adjudicated dangerous animal shall keep it confined upon the owner's premises at all times except when the dog is otherwise under reasonable control or is on other private property with the express permission of the owner or occupant of that private property. A violation of this subsection is a misdemeanor, punishable as provided in Section 1-010(a).

Sec. 3-027. Destruction or removal of prohibited animals.

- (a) Upon a sworn complaint that an animal is a pit bull terrier, poisonous or exotic animal, and/or dangerous animal prohibited by this article, and is currently being illegally owned, possessed, or maintained, a district court judge or magistrate shall issue a summons to the owner ordering him to appear to show cause why the animal should not be destroyed or removed from the Township.
- (b) Upon the filing of a sworn complaint as provided herein, the court may order the owner or possessor to immediately turn the animal over to the animal control officer, an incorporated humane society, a licensed veterinarian, or a boarding kennel, at the owner's option, to be retained by them until a hearing is held and a decision is made for the disposition of the animal. The expense of the boarding and retention of the prohibited animal is to be borne by the owner. After a hearing, the court shall issue its findings and opinion as to whether the animal is prohibited so as to be subject to destruction or removal under this article. The court shall order destruction if the animal has been found to be a dangerous animal that caused serious injury or death to a person or dog, and may order destruction if the animal is found to be a dangerous animal that did not cause serious injury or death to a person but is likely in the future to cause such injury or death or has been adjudicated a dangerous animal in the past. If the court orders the destruction of the animal, it shall be at the expense of the owner. If the

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(CHAPTER 3, ARTICLE II, SECTION 3-027 cont.)

- court finds the animal to be prohibited by this article but does not order destruction, the court may order the animal removed from the Township under terms and conditions which ensure such removal, or in the case of a dangerous animal, may order the owner to take designated actions at the owner's expense, including having the animal permanently identified with a number tattoo applied by or under the supervision of a licensed veterinarian, the erection, maintenance, and containment of the animal in an escape and entry proof enclosure, sterilization of the animal, obtaining and maintenance of sufficient liability insurance coverage to protect the public from damage or harm caused by the animal, and other actions appropriate to protect the public.
- (d) Animals who reasonably appear to have become a dangerous animal, as defined by this chapter, are subject to immediate seizure or pickup by an animal control officer when the owner cannot be found or contacted and the health and safety of the general public requires immediate containment of the animal. The impounded animal shall be held at a facility designated by the animal control officer, at the owner's expense. The complaining witness shall promptly comply with the complaint requirements of subsections (a) and (b) of this section.

ARTICLE II. - DOGS^[2]

Footnotes:

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State Law reference— Dog law, MCL 287.261 et seq., MSA 12.511 et seq.

DIVISION 1. - GENERALLY

Sec. 14-41. - Nuisances.

In addition to any penalty imposed on any owner or other person, any dog found in the city either without a license or running at large under conditions set forth in section 14-43 is declared to be a nuisance and shall be impounded at the direction of a law enforcement officer. Any impounding shall be governed by the rules, regulations and fees established by the county.

(Code 1976, § 8-06.05.01(A); Ord. No. 561, § 1, 3-21-2011)

Sec. 14-42. - Disturbing the peace.

No owner shall permit a dog to disturb the peace and quiet of the neighborhood by barking or making other loud or unusual noises.

(Code 1976, § 8-06.04.01(A); Ord. No. 561, § 1, 3-21-2011)

Sec. 14-43. - Running at large.

No person owning, possessing or harboring a dog shall permit the dog to run at large in the city.

No dog shall be permitted at any time to be on a highway, in a public park, in a public building or in any other public place, except when held securely by a leash of suitable strength and length and under the reasonable control of the owner thereof or other responsible person or when confined in a shipping receptacle or closed automobile.

(Code 1976, § 8-06.04.01(B); Ord. No. 561, § 1, 3-21-2011)

Sec. 14-44. - Destruction of property.

No owner at any time shall allow any licensed or unlicensed dog to destroy property or to habitually trespass in a damaging way on property of persons other than the owner.

(Code 1976, § 8-06.04.01(D); Ord. No. 561, § 1, 3-21-2011)

Editor's note— Ord. No. 561, § 1, adopted Mar. 21, 2011, repealed § 14-44, incorporated this information into § 14-43 and renumbered §§ 14-45—14-48 as §§ 14-44—14-47. Former § 14-44 pertained to confinement in public. See Code Comparative Table for derivation.

Sec. 14-45. - Vicious dogs.

No person shall permit any vicious dog or dog sick with or liable to communicate hydrophobia or other contagious or infectious disease to be in any public place or to be otherwise exposed to or a threat to any person or property.

(Code 1976, § 8-06.04.01(E); Ord. No. 561, § 1, 3-21-2011)

Note— See editor's note following § 14-44.

Sec. 14-46. - Trespass liability.

Any dog that enters any field or enclosure which is owned by or leased by a person producing livestock or poultry, unaccompanied by its owner or its owner's agent, shall constitute a trespass, and the dog's owner shall be liable in damages.

(Code 1976, § 8-06.05.02; Ord. No. 561, § 1, 3-21-2011)

Note— See editor's note following § 14-44.

Sec. 14-47. - Biting.

- (a) *Prohibited.* No owner at any time shall allow any licensed or unlicensed dog to attack, molest or bite a person or other animal.
- (b) *Quarantine.* Whenever any dog bites a person, the owner of the dog shall immediately notify a law enforcement officer, who shall order the dog held on the owner's premises or shall have it impounded for a period of two weeks.
- (c) *Examination for rabies.* The dog shall be examined immediately after it has bitten anyone and again at the end of the two-week period.
- (d) *Release.* If at the end of two weeks a veterinarian is convinced that the dog is then free from rabies, the dog shall be released from quarantine or from the pound, as the case may be.
- (e) *Death.* If the dog dies in the meanwhile, it shall be sent to the state department of health for examination for rabies.

(Code 1976, §§ 8-06.04.01(F), 8-06.05.03; Ord. No. 561, § 1, 3-21-2011)

State Law reference— Persons bitten by dogs, MCL 287.351, MSA 12.544; rules for control of rabies and the disposition of nonhuman agents carrying disease, including rabid animals, MCL 333.5111, MSA 14.15(5111).

Note— See editor's note following § 14-44.

DIVISION 2. - CONTROL OF DANGEROUS DOGS

Sec. 14-48. - Determination.

- (a) Any law enforcement officer who has reason to believe that a dog is a dangerous dog shall make a sworn complaint applying to the district court or magistrate for the issuance of a summons requiring the dog's owner to appear before the district court or magistrate at a specified time. The summons shall advise the owner of the nature of the proceeding and the matters at issue. If a law enforcement officer successfully makes an application for the issuance of a summons, he shall contact the county animal control officer and inform him of the location of the dog and the relevant facts pertaining to his belief that the dog is dangerous. The animal control officer shall confine the dog until such time as evidence shall be heard and a verdict rendered. If the animal control officer determines the owner can confine the dog in a manner that protects the public safety, he may permit the owner to confine the dog until such time as evidence shall be heard and a verdict rendered. The court may compel the owner, custodian or harbinger of the dog to produce the dog. If, after hearing the evidence, the court determines the dog is a dangerous dog, the court shall order the dog's owner to comply with the

provisions of this section. The procedure for appeal and hearing shall be the same as provided by law for municipal civil infractions. The city shall be required to prove its case by preponderance of the evidence.

- (b) No dog shall be found to be a dangerous dog solely because it is a particular breed, nor is the ownership of a particular breed of dog prohibited. No dog shall be found to be a dangerous dog if the threat, injury or damage was sustained by a person who was (i) committing, at the time, a crime upon the premises occupied by the dog's owner or custodian, (ii) committing, at the time, a willful trespass upon the premises occupied by the dog's owner or custodian, or (iii) provoking, tormenting, or physically abusing the dog, or can be shown to have repeatedly provoked, tormented, abused, or assaulted the dog at other times. No police dog that was engaged in the performance of its duties at the time of the acts complained of shall be found to be a dangerous dog. No dog that, at the time of the acts complained of, was responding to pain or injury, or was protecting itself, its kennel, its offspring, a person, or its owner's or custodian's property, shall be found to be a dangerous dog.
- (c) If the owner of a dog found to be a dangerous dog is a minor, the custodial parent or legal guardian shall be responsible for complying with all requirements of this division.

(Ord. No. 561, § 1, 3-21-2011)

Sec. 14-49. - Dangerous dog registration.

- (a) The owner of any dog found to be a dangerous dog shall, within 30 calendar days of such determination, obtain a dangerous dog registration certificate from the city clerk for a fee of \$200.00, in addition to other fees that may be authorized by law or ordinance. All certificates obtained pursuant to this subsection must be renewed annually by March 1. The city clerk shall provide a copy of the dangerous dog registration certificate and verification of compliance to the county animal control office and State Veterinarian.
- (b) All dangerous dog registration certificates or renewals thereof required to be obtained under this section shall only be issued to persons 18 years of age or older who present satisfactory evidence (i) of the dog's current rabies vaccination, if applicable, (ii) that the dog has been neutered or spayed, and (iii) that the dog is and will be confined in a proper physical enclosure or is and will be confined inside the owner's residence or is and will be muzzled and confined in the owner's fenced-in yard until the proper enclosure is constructed. In addition, owners who apply for certificates or renewals thereof under this section shall not be issued a certificate or renewal unless they present satisfactory evidence that (i) their residence is and will continue to be posted with clearly visible signs warning both minors and adults of the presence of a dangerous dog on the property; (ii) the dog has been permanently identified by means of a tattoo on the inside thigh or by electronic implantation; (iii) the dog and its owner are enrolled in or have successfully completed the American Kennel Club's Canine Good Citizen Program, or a program deemed by the city clerk to be equivalent. (An owner whose dog has commenced a dog obedience program in a timely manner under this subsection may be issued a registration certificate which will be subject to successful completion of the program); and (iv) the owner has liability insurance coverage with limits of at least \$250,000.00 that covers animal bites.

(Ord. No. 561, § 1, 3-21-2011)

Sec. 14-50. - Confinement and restraint.

- (a) While on the property of its owner, a dog that has been determined to be a dangerous dog shall be confined indoors or in a securely enclosed and locked structure or pen of sufficient height and design to prevent its escape or direct contact with or entry by minors, adults, or other animals. The structure or pen shall have secure sides and a secure top attached to the sides and shall be designed to provide

the dog with shelter from the elements of nature. If the structure or pen does not also have a secure bottom or floor securely attached to the sides, then the sides must be embedded into the ground no less than one foot. A hidden, in-ground electronic, fenceless or invisible fence pet containment system without a physical structure or pen as described in this subsection does not constitute a proper enclosure.

- (b) While off its owner's property, a dog that has been determined to be a dangerous dog shall be kept on a leash no longer than four feet and muzzled in such a manner as not to cause injury to the dog or interfere with the dog's vision or respiration, but so as to prevent it from biting a person or another animal.

(Ord. No. 561, § 1, 3-21-2011)

Sec. 14-51. - Notification.

After a dog has been determined to be a dangerous dog, the dog's owner shall immediately cause the county animal control authority to be notified if the animal (i) becomes loose or unconfined; or (ii) bites a person or attacks another animal; or (iii) is sold, given away, or dies. An owner of a dangerous dog who relocates to a new address shall, within ten calendar days of relocating, provide written notice to the city clerk for the old address from which the animal has moved and the new address to which the animal has been moved.

(Ord. No. 561, § 1, 3-21-2011)

Sec. 14-52. - Violation.

- (a) Any owner of a dog is guilty of a misdemeanor if the dog previously determined to be a dangerous dog pursuant to this division, attacks and injures or kills a cat or dog belonging to another person, or bites a person or attacks a person causing bodily injury. The provisions of this subsection shall not apply to any dog that, at the time of the acts complained of, was responding to pain or injury, or was protecting itself, its kennel, its offspring, a person, or its owner's or custodian's property, or when the dog is a police dog engaged in the performance of its duties at the time of the attack.
- (b) The owner of any dog that has been found to be a dangerous dog who fails to comply with the requirements of this division, including but not limited to failure to confine the dog in a proper and maintained enclosure, failure to post or maintain clearly visible warning signs, failure to properly leash and muzzle the dog while off the owner's property, failure to successfully complete a dog obedience program, or failure to maintain required insurance is guilty of a misdemeanor.

(Ord. No. 561, § 1, 3-21-2011)

Secs. 14-53—14-75. - Reserved.

DIVISION 3. - LICENSE^[3]

Footnotes:

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State Law reference— Dog license, MCL 287.266 et seq., MSA 12.516 et seq.; authority of city to license dogs, MCL 287.290, MSA 12.541.

Sec. 14-76. - Required.

It shall be unlawful for any person to own, possess or harbor a dog six months of age or over in the city without first having obtained a license as provided in this division.

(Code 1976, § 8-06.03.01; Ord. No. 561, § 1, 3-21-2011)

Sec. 14-77. - Application.

(a) *Conditions.* It shall be the duty of any person to apply for a dog license when the person:

- (1) Owns or harbors a dog before March 1 and on or before any dog becomes six months of age;
- (2) Forthwith becomes a resident of the city; or
- (3) Becomes an owner of such dog.

(b) *Information.* The applicant for a dog license shall give his full name and address, if any, and the breed, sex, age and color of the dog.

(Code 1976, § 8-06.03.03; Ord. No. 561, § 1, 3-21-2011)

Sec. 14-78. - Proof of rabies vaccination.

An application for a dog license shall be accompanied by proof of vaccination of the dog by a valid certificate of vaccination for rabies signed by an accredited veterinarian, and containing the information listed in subsection 14-77(b) and the type and manufacturer of the vaccine used.

(Code 1976, § 8-06.03.04; Ord. No. 561, § 1, 3-21-2011)

Sec. 14-79. - Fees.

Dog license fees shall be established by the county.

(Code 1976, § 8-06.03.05; Ord. No. 561, § 1, 3-21-2011)

Sec. 14-80. - Issued elsewhere.

(a) *County license.* A county dog license issued either by the county or by another municipality shall be honored and accepted by and within the city.

(b) *Other municipalities.* Other licenses issued by other municipalities shall not be so honored or accepted, and the owner of any dog with a license so issued by another municipality shall apply for and obtain a license issued by this city within 30 days of coming into and residing within the city.

(Code 1976, § 8-06.03.06; Ord. No. 561, § 1, 3-21-2011)

Sec. 14-81. - Issuance.

(a) *Generally.* A license to own or harbor a dog shall be issued by the city treasurer upon application made therefor and upon compliance of the requirements for a license, together with payment of the license fee as promulgated by the county.

(b) *Duration.* The treasurer shall issue a license to own or harbor a dog for the term commencing at the date of such license and terminating on December 31 following.

(c) *License tag.* A dog license tag shall be issued in accordance with the following:

- (1) *Issuance.* With each license so issued there shall be delivered to the applicant a tag of metal or other durable material, which shall have stamped or engraved thereon the year when issued, together with the words "License, Oakland County," and number of the license.
- (2) *Replacement.* Upon satisfactory proof that the tag issued by the treasurer as provided for in this section has been lost, the treasurer is authorized to issue a duplicate tag without payment of a fee.

(Code 1976, §§ 8-06.03.02, 8-06.03.07; Ord. No. 561, § 1, 3-21-2011)

Sec. 14-82. - Proof of licensing.

- (a) *Tag on dog.* The dog license tag shall be affixed to a substantial collar furnished by the owner which, with the tag attached, shall at all times be kept on the dog for which the license is issued.
 - (b) *Production on request.* A person who owns or harbors a dog shall produce proof of a valid license upon request of a law enforcement officer.
- (Code 1976, § 8-06.03.08; Ord. No. 561, § 1, 3-21-2011)

Sec. 14-83. - Transferability.

No license or license tag issued for one dog shall be transferred to another dog.

(Code 1976, § 8-06.03.09; Ord. No. 561, § 1, 3-21-2011)

Sec. 14-84. - Impoundment of unlicensed dogs.

Any dog found unlicensed after March 1 of each year by a law enforcement officer may be seized and impounded by such officer for a period of not less than 72 hours.

(Code 1976, § 8-06.05.01(B); Ord. No. 561, § 1, 3-21-2011)

Secs. 14-85—14-89. - Reserved.

ARTICLE III. - DANGEROUS ANIMALS

Sec. 6-51. - Purpose and intent.

It is the intent of the City of Farmington Hills to protect the health and safety of the public against the risks that dangerous and potentially dangerous animals pose to persons and other animals in the city. Further, it is the intent of the City of Farmington Hills to afford animal owners due process when the owner's animal is classified as a dangerous or potentially dangerous animal.

(Ord. No. C-2-08, § 1, 8-25-08)

Sec. 6-52. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings respectively ascribed to them below:

Animal review board means a board consisting of the city manager, police chief and fire chief, or their respective designated deputies or assistants, that shall assemble for purposes of conducting hearings under this article. Although not required, the animal review board may, in the discretion of the city council, also include a licensed veterinarian, American Kennel Club (AKC) certified animal behaviorist and/or AKC certified animal trainer, appointed by city council.

Authorized enforcement officer means a police officer and any officer authorized under section 1-15 of this code to issue appearance tickets in the city.

Dangerous animal means a dog or other animal that bites or attacks a person or causes a serious injury to a person or domestic animal, a dog or other animal that has been designated as a potentially dangerous animal that poses a threat to public safety as described in this article, or a dog or other animal that bites or attacks and causes serious injury or death to another dog or domestic animal while the other dog or domestic animal is on the property or under the control of its owner. However, a dangerous animal does not include any of the following:

- (1) An animal that bites or attacks a person who is knowingly trespassing on the property of the animal's owner;
- (2) An animal that bites or attacks a person who provokes or torments the animal; or
- (3) An animal that is responding in a manner that an ordinary and reasonable person would conclude was designed to protect a person if that person is engaged in a lawful activity or is the subject of an assault.

Final determination date means the fifteenth day after the date of the notice of the authorized enforcement officer's classification of an animal as a dangerous animal or potentially dangerous animal under subsection 6-53(a); provided, however, that if a completed request for a review hearing has been timely submitted to the city clerk pursuant to subsection 6-53(b) and the review board determines that the animal is a dangerous animal or potentially dangerous animal, the final determination date means the effective date of the review board's determination under subsection 6-53(c).

On a suitable leash means both:

- (1) That the animal is attached to a leash that is no more than ten (10) feet in length and of such material that the leash is capable of restraining, and does restrain the type and size of animal to which it is attached; and
- (2) That such a leash is continuously held by a person who is reasonably able to and does restrain and prohibit the animal from being out of that person's physical control.

A leashed animal that chases a person or domesticated animal a greater distance than ten (10) feet, or that bites a person or domesticated animal constitutes prima facie evidence that such animal is not kept on a suitable leash.

Owner means any person, firm, corporation or organization that owns or harbors a dog or other animal.

Potentially dangerous animal means a dog or animal that poses a threat to public safety as demonstrated by any of the following behaviors:

- (1) Causing an injury to a person or domestic animal that is less severe than a serious injury;
- (2) Without provocation, chasing or menacing a person or domestic animal in an aggressive manner; or
- (3) Running at large in violation of section 6-34 of this Code three (3) or more times within any twelve-month period.

Proper enclosure means a physical enclosure that is constructed and at all times maintained in such a manner as to effectively prevent the animal from escaping the confines of the enclosure. An invisible fence does not constitute a proper enclosure.

Provoke and *provocation* mean to perform a willful act or omission that an ordinary and reasonable person would conclude is likely to precipitate the bite or attack by an ordinary dog or other animal.

Serious injury means permanent, serious disfigurement, serious impairment of health, or serious impairment of a bodily function of a person.

Torment means an act or omission that causes unjustifiable pain, suffering, and distress to an animal, or causes mental and emotional anguish in the animal as evidenced by its altered behavior, for a purpose such as sadistic pleasure, coercion, or punishment that an ordinary and reasonable person would conclude is likely to precipitate the bite or attack.

(Ord. No. C-2-08, § 1, 8-25-08; Ord. No. C-2-2010, § 1, 4-26-10)

Sec. 6-53. - Determination of a dangerous animal.

- (a) An authorized enforcement officer shall have the authority to make a determination that an animal is dangerous, or potentially dangerous, as defined in this article, upon the complaint of any person that an animal is dangerous or potentially dangerous. When the authorized enforcement officer classifies any animal as a dangerous animal or potentially dangerous animal under this article, the authorized enforcement officer shall notify the animal's owner of such classification. The notice to the owner shall meet the following:
 - (1) The notice shall be in writing, and it shall be hand delivered or mailed by certified mail to the owner's last known address. If an animal has more than one (1) owner, notice to one (1) owner shall be sufficient for purposes of this article.

- (2) The notice shall include a summary of the authorized enforcement officer's findings that form the basis for the animal's classification as a dangerous animal or potentially dangerous animal.
 - (3) The notice shall be dated and shall state that the owner has a right to request a review hearing on the classification within fifteen (15) days from the date of the notice.
 - (4) The notice shall state that the animal review board shall conduct the hearing.
 - (5) The notice shall state that if the owner does not request such a hearing within fifteen (15) days from the date of the notice, the classification of the animal as a dangerous animal or potentially dangerous animal shall be final and conclusive for all purposes.
 - (6) The notice shall include the appropriate form to request a review hearing before the animal review board, shall provide notice of the required fee as established by resolution of the city council, and shall provide specific instructions on mailing or delivering such a request.
- (b) A request for a review of a decision of an authorized enforcement officer under this section must be made within fifteen (15) days from the date of the authorized enforcement officer's notice on a form provided by the city clerk for such purposes and must include all of the following:
- (1) A description of the animal and whether it was determined by the authorized enforcement officer to be a potentially dangerous animal or a dangerous animal;
 - (2) An indication of the date of the determination by the authorized enforcement officer;
 - (3) Every reason supporting and establishing why the determination of the authorized enforcement officer was incorrect and should be overturned or modified;
 - (4) The name, address, and telephone number of the person requesting the review hearing;
 - (5) The nonrefundable administrative and processing fee established by resolution of the city council; and
 - (6) Such other information deemed necessary by the city clerk for purposes of processing the request.
- (c) When the animal review board receives a complete request for a review hearing from an owner in accordance with subsection (b), above, it shall schedule such a hearing within thirty (30) days of receipt of the request. The city clerk shall notify the owner in writing by certified mail of the date, time and place of the hearing; such notice shall be made to the owner at least five (5) days prior to the date of the hearing. At the hearing, the owner shall be given the opportunity to testify and to present evidence. The animal review board shall also receive such other evidence and hear such other testimony as it may find reasonably necessary to make a determination to sustain, modify or overrule the classification of the animal by the authorized enforcement officer. The animal review board shall notify the owner in writing by certified mail or hand delivery of its determination on the matter. If the determination is made that the animal is a dangerous animal or a potentially dangerous animal, the effective date of the determination shall be the date of the notice of said determination.
- (d) If the identity of the owner of an animal that the authorized enforcement officer has classified as a dangerous animal or a potentially dangerous animal cannot be determined, the animal shall be immediately confiscated with notice of same and a description of the animal given to the police department. If the animal's owner claims such animal, the animal shall be released to its owner, together with a copy of the notice specified in subsection (a) of this section. If the animal remains unclaimed for four (4) days, the animal shall be examined by a veterinarian and/or an authorized representative of the county animal control division to determine the viability of the animal or appropriate course of destruction of the animal if necessary.

(Ord. No. C-2-08, § 1, 8-25-08; Ord. No. C-2-2010, § 2, 4-26-10)

Sec. 6-54. - Requirements for possession of a dangerous animal.

- (a) Any owner of a dangerous animal shall be jointly and severally responsible with all other owners of such animal for compliance with the requirements of this article. Except where a different date for compliance with a requirement is specifically identified in this article, the dangerous animal owner's or owners' responsibility for compliance with the requirements of this article shall commence on the final determination date.
- (b) No person shall own, possess, keep, harbor, or have custody or control of a dangerous animal except in compliance with all of the following requirements:
 - (1) A dangerous animal shall not be permitted to remain in the city unless it is properly registered as provided in this article and as otherwise required by law or ordinance within thirty (30) days of the final determination date.
 - (2) Except under the circumstances otherwise specifically permitted by this article, a dangerous animal shall at all times be maintained inside a proper enclosure.
 - (3) The premises where a dangerous animal is kept shall be posted with a clearly visible sign warning that there is an animal on the premises that presents a danger to human beings. Such sign shall also include a symbol sufficient to convey without words the message that there is an animal on the premises that presents a danger to human beings.
 - (4) Within thirty (30) days of the final determination date, the owner of a dangerous animal shall maintain at all times a policy of insurance in a minimum amount of one million dollars (\$1,000,000.00) to cover claims for any personal injuries inflicted by the animal, which policy shall be issued by an insurer, as the case may be, authorized to transact business in the State of Michigan.
 - (5) Within thirty (30) days of the final determination date the owner of a dangerous animal shall begin attending, and within seventy-five (75) days after the final determination date, the owner of a dangerous animal shall successfully complete an animal obedience class with the dangerous animal, as offered through a certified program, and shall produce evidence of such attendance and successful completion by the dangerous animal. In the instance of a dog that has been determined to be a dangerous animal, evidence of successful completion of an animal obedience class shall require the production of a canine good citizenship certificate for the dog by a certified tester pursuant to the standards of the American Kennel Club. In the instance of other animals that have been determined to be dangerous animals under this article, evidence of successful completion of an animal obedience class shall require a certificate from the trainer who performed the training program certifying that the animal satisfied all requirements of the class and that the animal is obedient.

(Ord. No. C-2-08, § 1, 8-25-08; Ord. No. C-2-2010, § 3, 4-26-10)

Sec. 6-55. - Requirements for possession of a potentially dangerous animal.

- (a) Any owner of a potentially dangerous animal shall be jointly and severally responsible with other owners of such animal for compliance with the requirements of this article. Except where a different date for compliance with a requirement is specifically identified in this article, the potentially dangerous animal owner's or owners' responsibility for compliance with the requirements of this article shall commence on the final determination date.
- (b)

No person shall own, possess, keep, harbor, or have custody of a potentially dangerous animal except in compliance with all of the following requirements:

- (1) A potentially dangerous animal shall not be permitted to remain in the city unless it is properly registered as provided in this article and as otherwise required by law or ordinance, within thirty (30) days of the final determination date.
- (2) Except under the circumstances otherwise specifically permitted by this article, a potentially dangerous animal shall at all times be maintained inside a proper enclosure.
- (3) The premises where a potentially dangerous animal is kept shall be posted with a clearly visible sign warning that there is an animal on the premises that is potentially dangerous to human beings. Such sign shall also include a symbol sufficient to convey without words the message that there is an animal on the premises that presents a potential danger to human beings.
- (4) Within thirty (30) days of the final determination date, the owner of a potentially dangerous animal shall begin attending, and within seventy-five (75) days after the final determination date, the owner of a potentially dangerous animal shall successfully complete an animal obedience class with the animal, as offered through a certified program, and shall produce evidence of such attendance and successful completion by the dangerous animal. In the instance of a dog that has been determined to be a potentially dangerous animal, evidence of successful completion of an animal obedience class shall require the production of a canine good citizenship certificate for the dog by a certified tester pursuant to the standards of the American Kennel Club. In the instance of other animals that have been determined to be potentially dangerous animals under this article, evidence of successful completion of an animal obedience class shall require a certificate from the trainer who performed the training program certifying that the animal satisfied all requirements of the class and that the animal is obedient.

(Ord. No. C-2-08, § 1, 8-25-08; Ord. No. C-2-2010, § 4, 4-26-10)

Sec. 6-56. - Registration of dangerous animals and potentially dangerous animals.

- (a) No dangerous animal or potentially dangerous animal shall be permitted to remain in the city unless it is registered in accordance with this article. In addition to the annual registration and/or licensing fees otherwise required by law and ordinance, the owner of a dangerous animal or a potentially dangerous animal shall pay a fee of fifty dollars (\$50.00) per year and shall register such owner's animal with the police department as a dangerous animal or a potentially dangerous animal according to the classification and determination previously made under this article. No dangerous animal or potentially dangerous animal shall be registered unless the owner can provide sufficient evidence that all of the provisions in this article, as applicable, have been and are being met. An animal that has commenced an animal obedience class in a timely manner under either subsection 6-54(b)(5) or subsection 6-55(b)(4) with its owner may be issued a registration, which registration shall be subject to successful completion of the class in accordance with said subsections.
- (b) The registration provided by this section shall be nontransferable. The registration shall be renewed annually or upon the earlier of the transfer of ownership or possession of the animal or a change in the location of the animal's primary habitat. The registration year shall be the period from the date of initial registration to the next December thirty-first, inclusive, unless otherwise provided. All registrations expire on the thirty-first day of December unless suspended or revoked.

(Ord. No. C-2-08, § 1, 8-25-08; Ord. No. C-2-2010, § 5, 4-26-10)

Sec. 6-57. - Transfer of ownership or possession.

Upon the transfer of ownership or possession of any dangerous animal or potentially dangerous animal, the transferor shall provide the police chief with the name, address and telephone numbers of the new owner of the animal and the effective date of the transfer. Any transferee of a dangerous animal or potentially dangerous animal shall be presumed to have notice of the animal's classification as such.

(Ord. No. C-2-08, § 1, 8-25-08)

Sec. 6-58. - Notice to police department.

The owner of a dangerous animal or potentially dangerous animal shall notify the police department in person or by telephone within twenty-four (24) hours of the occurrence of any one (1) of the following events:

- (1) The animal has escaped or has otherwise ceased to be in the custody of the owner for any reason, unless the owner knows such animal to be physically secured and restrained or confined in the custody of another competent adult.
- (2) Such animal has attacked a human being.
- (3) Such animal has been sold, given or otherwise transferred to the ownership or possession of another person.
- (4) The animal has died.
- (5) The animal is leaving the City of Farmington Hills.

(Ord. No. C-2-08, § 1, 8-25-08)

Sec. 6-59. - Restraints when outside proper enclosure.

It shall be unlawful for the owner of a dangerous animal or a potentially dangerous animal to permit the animal to be outside a proper enclosure unless the animal is properly muzzled, if a dangerous animal, and restrained on a suitable leash and is under the physical restraint of a responsible person at all times.

(Ord. No. C-2-08, § 1, 8-25-08)

Sec. 6-60. - Confiscation and disposition of animals.

- (a) A dangerous animal may be immediately confiscated by an authorized enforcement officer or a county animal control officer upon a determination by such an officer that one (1) or more of the following circumstances exists:
 - (1) The owner of the animal does not have the proper liability insurance as required by section 6-54
 - (2) The animal is not validly and currently registered as required by section 6-56
 - (3) The animal is not maintained in a proper enclosure as required by section 6-54
 - (4) The animal is not under the restraints required by section 6-59, whether or not such animal is then in the custody or possession of its owner.
 - (5) The owner has failed to attend obedience classes with the animal or the animal has failed to successfully complete such obedience classes, as required by section 6-54
- (b) A potentially dangerous animal may be confiscated by an authorized enforcement officer or a county animal control officer upon a determination by such an officer that one (1) or more of the following circumstances exists:
 - (1) The animal is not validly and currently registered as required by section 6-56
 - (2) The animal is not maintained in a proper enclosure as required by section 6-55

- (3) The animal is not under the restraints required by section 6-59, whether or not such animal is then in the custody or possession of its owner.
- (4) The owner has failed to attend obedience classes with the animal or the animal has failed to successfully complete such obedience classes, as required by section 6-55
- (c) Any animal that is confiscated under either subsection (a) or (b) of this section shall be returned to its owner upon the owner's compliance with the provisions of this article and upon the payment of the actual costs of boarding the animal, plus a confiscation fee of fifty dollars (\$50.00) upon the first confiscation of any animal, one hundred dollars (\$100.00) upon the second and two hundred dollars (\$200.00) upon the third or subsequent confiscation. The foregoing shall be in addition to the penalties otherwise provided for under this article.
- (d) If the confiscated animal remains unclaimed for a period of four (4) days after written notice of the confiscation to the owner, or if the identity of the owner cannot be determined and a description of the animal has been given to the police department and the animal remains unclaimed, then the animal shall be examined by a veterinarian and/or an authorized representative of the county animal control division to determine the viability of the animal or appropriate course of destruction of the animal if necessary.

(Ord. No. C-2-08, § 1, 8-25-08; Ord. No. C-2-2010, § 6, 4-26-10)

Sec. 6-61. - District court action.

- (a) In lieu of the notice and hearing requirements in this article, the authorized enforcement officer may file a sworn complaint in district court that an animal is a dangerous animal and that the animal has caused serious injury or death to a person or has caused serious injury or death to a dog or other domestic animal, without provocation. The district court shall issue a summons to the owner ordering him or her to appear to show cause why the animal should not be destroyed.
- (b) Upon the filing of a sworn complaint as provided in subsection (a), the district court shall order the owner to immediately turn the animal over to a proper animal control authority, an incorporated humane society, a licensed veterinarian, or a boarding kennel, at the owner's option, to be retained by them until a hearing is held and a decision is made for the disposition of the animal. The owner shall notify the person who retains the animal under this section of the complaint and order. The expense of the boarding and retention of the animal is to be borne by the owner.
- (c) After a hearing, the district court shall order the destruction of the animal, at the expense of the owner, if the animal is found to be a dangerous animal that caused serious injury or death to a person, dog or other domestic animal. After a hearing, the court may order the destruction of the animal, at the expense of the owner, if the court finds that the animal is a dangerous animal that did not cause serious injury or death to a person but is instead a potentially dangerous animal that is likely in the future to cause serious injury or death to a person or in the past has been adjudicated as a dangerous animal.
- (d) If the court finds that an animal is a dangerous animal that has not caused serious injury or death to a person, or is a potentially dangerous animal, the court shall notify the animal control authority for Oakland County of the finding of the court, the name of the owner of the dangerous animal or potentially dangerous animal, and the address at which the animal is kept. In addition, the court shall order the owner of the animal to do one (1) or more of the following:
 - (1) Have the animal tattooed or micro chipped in such a manner as to enable the animal to be readily identified as having been determined to be a dangerous or potentially dangerous animal.
 - (2)

Take specific steps, such as escape proof fencing or enclosure, including a top or roof, to ensure that the animal cannot escape and unauthorized individuals cannot enter the premises.

- (3) Obtain and maintain liability insurance sufficient to protect the public from any damage or harm caused by the animal.
- (4) Take any other action appropriate to protect the public, including order animal obedience classes at a licensed facility.

(Ord. No. C-2-08, § 1, 8-25-08)

Sec. 6-62. - Removal of potentially dangerous animal classification.

The owner of a dog that has been determined to be a potentially dangerous animal may request that the classification of the dog as a potentially dangerous animal should be reconsidered and removed, which request may be granted by the district court or animal review board, as applicable, if the owner demonstrates that the dog has been incident free for more than eighteen (18) months, the dog and owner have successfully completed obedience training, the dog has been issued and maintained a canine good citizenship certificate by a certified tester pursuant to the standards of the American Kennel Club, and the owner has complied in all respects with the provisions of this chapter of the code and any applicable court orders. A request submitted to the animal review board for removal of a potentially dangerous animal classification under this section must be made on a form provided by the city clerk for such purposes and must include a nonrefundable administrative and processing fee established by resolution of the city council and such other information deemed necessary by the city clerk for purposes of processing the request.

(Ord. No. C-2-08, § 1, 8-25-08; Ord. No. C-2-2010, § 7, 4-26-10)

Sec. 6-63. - Penalties for violation.

In addition to the penalties set forth elsewhere in this article, and those penalties in MCL 287.321 et seq., the owner of a dangerous animal or a potentially dangerous animal that fails to comply with the provisions of this article shall be guilty of a misdemeanor, punishable in the manner set forth in section 1-13 of this code.

(Ord. No. C-2-08, § 1, 8-25-08)

A community approach to dog bite prevention

American Veterinary Medical Association Task Force on Canine Aggression and Human-Canine Interactions

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Introduction and Problem Statement

Dog bites are a serious public health problem that inflicts considerable physical and emotional damage on victims and incurs immeasurable hidden costs to communities. Bites have been tolerated as a job-related hazard for utility and postal workers, but for many communities the problem may be more encompassing. Following a severe attack, there is usually an outcry to do something, and the something that is done often reflects a knee-jerk response. Only later do officials realize that the response was not effective and, in fact, may have been divisive for the community. To assist communities in avoiding such ineffective responses, the AVMA convened a Task Force on Canine Aggression and Human-Canine Interactions. Although the number of injuries will never be reduced to zero, Task Force members believe a well-planned proactive community approach can make a substantial impact. The information contained in this report is intended to help leaders find effective ways to address their community's dog bite concerns.^a

Scope of the problem

Dogs have shared their lives with humans for more than 12,000 years,¹ and that coexistence has contributed substantially to humans' quality of life. In the United States, there are slightly more than 53 million dogs sharing the human-canine bond,^{2,3} more dogs per capita than in any other country in the world.¹ Unfortunately, a few dogs do not live up to their image as mankind's best friend, and an estimated 4.5 million people are bitten each year,^{4,5} although the actual number injured is unknown.⁶ Approximately 334,000 people are admitted to US emergency departments annually with dog bite-associated injuries, and another 466,000 are seen in other medical settings.⁶ An unknown number of other people who have been bitten do not sustain injuries deemed serious enough to require medical attention. Still another group of individuals is not represented by these data, those that incur injuries secondary to a bite or attempted bite. For example, a jogger may trip and break an arm while fleeing from a threatening dog.

Of concern too are the demographics of typical dog bite victims. Almost half are children younger than 12 years old.⁶⁻⁸ People more than 70 years old comprise 10% of those bitten and 20% of those killed.^{9,10}

Direct costs of dog bite injuries are high. The insurance industry estimates it pays more than \$1 billion/y in homeowners' liability claims resulting from dog bites.¹¹ Hospital expenses for dog bite-related emergency visits are estimated at \$102.4 million.⁶ There are also medical insurance claims, workmen's compensation claims, lost wages, and sick leave-associated business costs that have not been calculated.

Which dogs bite?

An often-asked question is what breed or breeds of dogs are most "dangerous"? This inquiry can be prompted by a serious attack by a specific dog, or it may be the result of media-driven portrayals of a specific breed as "dangerous."^{12,13} Although this is a common concern, singling out 1 or 2 breeds for control can

result in a false sense of accomplishment.¹⁴ Doing so ignores the true scope of the problem and will not result in a responsible approach to protecting a community's citizens.

Dog bite statistics are not really statistics, and they do not give an accurate picture of dogs that bite.⁷ Invariably the numbers will show that dogs from popular large breeds are a problem. This should be expected, because big dogs can physically do more damage if they do bite, and any popular breed has more individuals that could bite. Dogs from small breeds also bite and are capable of causing severe injury. There are several reasons why it is not possible to calculate a bite rate for a breed or to compare rates between breeds. First, the breed of the biting dog may not be accurately recorded, and mixed-breed dogs are commonly described as if they were purebreds. Second, the actual number of bites that occur in a community is not known, especially if they did not result in serious injury. Third, the number of dogs of a particular breed or combination of breeds in a community is not known, because it is rare for all dogs in a community to be licensed, and existing licensing data is then incomplete.⁷ Breed data likely vary between communities, states, or regions, and can even vary between neighborhoods within a community.

Wolf hybrids are just that: hybrids between wild and domestic canids. Their behavior is unpredictable because of this hybridization, and they are usually treated as wild animals by local or state statutes. Wolf hybrids are not addressed by this program.

Sex differences do emerge from data on various types of aggression. Intact (unneutered) male dogs represented 80% of dogs presented to veterinary behaviorists for dominance aggression, the most commonly diagnosed type of aggression.¹ Intact males are also involved in 70 to 76% of reported dog bite incidents.^{7,15} The sex distribution of dogs inflicting unreported bites is not known. Unspayed females that are not part of a carefully planned breeding program may attract free-roaming males, which increases bite risk to people through increased exposure to unfamiliar dogs. Dams are protective of their puppies and may bite those who try to handle the young. Unspayed females may also contribute to the population of unwanted dogs that are often acquired by people who do not understand the long-term commitment they have undertaken, that are surrendered to animal shelters where many are destroyed, or that are turned loose under the misconception that they can successfully fend for themselves.¹⁶

Dog bite costs to a community

Costs associated with dog bite injuries cannot be readily measured, because so many intangible quality of life issues are involved. This makes it more difficult for community councils to justify the time, effort, and expense necessary to institute a bite reduction program when compared to a new fire truck, street paving, or city park. Intangible costs include time spent by volunteer and paid community officials on animal-related issues, deterioration of relationships between neighbors, building appropriate medical support, citizens' concerns about neighborhood safety for children,

homeowners' insurance costs within the community, and animal shelter support for unwanted pets. These are quality of life issues that ultimately determine the desirability of a community to its citizens and that can motivate proactive community officials to institute a prevention program.

This program

Reducing the incidence of dog bites requires active community involvement; passive attention or a token commitment is not sufficient. By actively focusing on dog bite prevention, the State of Nevada was able to reduce the incidence of bites by approximately 15%.^b Members of the Task Force represented a broad range of disciplines and designed the program presented here. It was recognized that the community approach must be multidisciplinary and that different communities will have different needs based on their level of commitment, preexisting programs, and available resources. Although the best results will be obtained by adopting the entire prevention program, the program is designed so that it may be adopted as a whole or in part. Either way, the goal remains to reduce the incidence of dog bites within communities and improve quality of life for their citizens.

Multidisciplinary and Multiprofessional Groups

It is unlikely that a dog bite prevention program will begin in a complete vacuum. Typically, some formal program is already in place under the auspices of animal control, the health department, or local law enforcement. Efforts may also be under way by other groups such as educators or dog breeders. It makes sense to identify related activities to determine what needs are not being met, find likely sources of support or resistance, and avoid duplication of effort and potential turf battles (**Appendix 1**).^c

Identify dog bite issues in the community

Each community has a unique set of dog bite-related problems and its own approaches to confronting them. A central task is to identify these particular issues. The project begins by assessing the political landscape regarding dog bites and dog bite prevention. Before launching a program, it is useful to pinpoint the degree of current and potential support among corporate and community leaders as well as legislators and senior staff in the dog bite prevention program's sponsoring agency.

Recognize hot buttons—Crafting a program is easier if the objectives mesh with a highly visible community issue. For example, there may be public outcry about dog waste or a publicized dog attack. Such a situation may provide impetus for a campaign to support licensing and leash laws or ordinances pertaining to reporting dog bites. When community groups and the media have already invested in finding a solution to the dog bite problem, program organizers can dovetail their efforts and work collaboratively with these groups.

Community interest—Knowing the degree of support that exists for a prevention program is important.

The prior existence of a program suggests support, but this may not always be the case. The active support of a commissioner or health department head (local or state) is critical, because without his/her backing, a fledgling dog bite prevention program is vulnerable to shifting funding initiatives and political pressure. Public officials are influenced by vocal well-organized constituencies, so it is important to know what dog bite-related agendas are getting politicians' attention. It also helps to know whether any legislators have a strong interest in the dog bite issue.

Dogs in the news—News accounts can provide clues as to how dog-related issues have played out over time. Compare these accounts with available statistical data and scientific assessments for reliability.

Identify potential partners, allies, support, and funding sources

Determine which organizations in the community are likely to support program efforts or resist them. Some individuals and organizations will emerge as natural allies; some old hands will be glad to work with a new partner in the dog bite prevention field, and some will actively welcome a new focal point for dog bite prevention activity. Learning about various entities and their interest and involvement in dog bite control can help answer questions in the following areas.

Community resources—Organizations, agencies, businesses, and individuals offering training, assistance, consulting, library or computer search capabilities, in-kind contributions, volunteer help, or supplemental funding must be identified.

Currently available data—Before launching a major effort to collect dog bite data, it is wise to determine whether an assessment has already been done. Ask about reports related to injuries and costs from dog bites, surveys that include dog bite or dog ownership information, opinion surveys or other studies describing community perceptions about the need for dog bite prevention, and similar information. If possible, find out what happened to existing assessments and related recommendations. Knowing the history of previous evaluation and prevention efforts will help in development of a new program. If an assessment has been done, determine whether methods and conclusions are sound.

Legislation—It is important to know what interventions (eg, leash laws, "dangerous" dog ordinances) have been previously introduced and their history of success. Individuals involved in these efforts may be valuable allies in new programs. In addition, current ordinances should be evaluated to determine whether enforcement or revision could increase their effectiveness.

Barriers—Ownership of particular dog bite issues and potential turf battles should be confronted realistically. In addition, it must be acknowledged that a dog bite prevention program may attract opposition from groups on philosophical grounds (eg, groups that strongly support personal freedom argue that the gov-

ernment should not mandate licensing of dogs). Clubs for specific breeds may not be supportive if they fear their breed will be singled out in a negative way. Barriers can be overcome by a fresh approach to old problems or by agreeing to carve out areas of responsibility among interested groups. Typically, there are many more problems than there are organizations to tackle them, so it makes sense to avoid attacking similar issues.

Develop an advisory council

Obtaining community input can be as sophisticated as conducting public opinion surveys or holding focus groups to learn about what the community sees as pressing dog bite issues. More likely, there will be limited funds at the outset of the program, so more informal but also potentially valuable approaches may be required. These include meetings with potential partners and interested groups to learn about their constituencies' concerns. This type of informal interview can be a great help in uncovering key dog-related issues as perceived by the community. Talking with people in neighborhoods most affected by dog bite problems is important. For example, if there is a problem with dog bites in low-income neighborhoods, obtaining the views of people living there can help identify the nature of the problem and potential solutions.

An advisory council or task force that represents a wide spectrum of community concerns and perspectives creates a source of support for program initiatives. Advisory groups provide guidance for a dog bite prevention program and may focus on specific high-priority dog bite issues. Although organizing and maintaining an advisory council is labor-intensive, it can substantially benefit the program. Members may be able to provide access to useful information that is not otherwise easy for the coordinator to obtain. Members can also identify ways in which the program can work with appropriate voluntary organizations and associations. People with experience in dog bite control can offer perspective about the program and help identify potential pitfalls as well as successful strategies. Participation by members representing community organizations builds a sense of ownership in the dog bite prevention program.

Logistics in starting an advisory council include identifying organizations and individuals that should participate (Appendix 1), determining the size of the council, establishing a structure and operating procedures for the council and its regular meetings, assigning staff support, determining the relationship between the staff and the council, and reaching an agreement about key tasks. When community members and government officials work together to support the creation and development of a local task force, it enhances the group's visibility and impact.

To foster an involved and active advisory council, professionals agree that several criteria must be met. The number of participants should be kept manageable; 10 to 12 is a size that works well. If it is necessary to have more members for political reasons, breaking the group into smaller committees or working groups

will improve the dynamics. For example, groups could coalesce around data issues, legislation and policy, and so on. Involving participants from the start in meaningful tasks will underscore that this is a productive group. In addition, people are more likely to support a program they participated in creating, because they have a sense of ownership.

Because each community's needs and priorities differ, the advisory council's major tasks will vary. The advisory council or one of its working groups may consider the following activities:

- ? coordinating efforts among participating organizations
- ? developing an action plan
- ? establishing dog bite prevention priorities
- ? generating public and legislative support for dog bite control
- ? identifying dog bite reporting sources
- ? interpreting data
- ? identifying and obtaining resources for program activities (educational, financial, staffing)
- ? providing technical expertise for the program
- ? recommending goals and objectives for prevention

It is recommended that the program be overseen by a paid coordinator. The program coordinator and other staff involved can contribute to the advisory council's success by good meeting planning and preparation, regular communication with members, working with the advisory council chairperson to set the agenda, and helping to solve problems that threaten to derail the process. As with any volunteer effort, a dog bite prevention advisory council is likely to thrive if the coordinator nurtures its members with regular expressions of appreciation.

Infrastructure

A coordinated effort is essential for success in any venture, and each individual or organization involved must have a clear sense of their/its responsibilities. Reducing the incidence of dog bites requires the cooperation of many groups, including animal control agencies, the human and veterinary medical communities, educators, departments of health, and the local licensing authority. Open and consistent communication is an integral part of an effective program, and one entity should be designated as the coordinating agency. A logical coordinating agency would be the health department or animal control. In addition, it is imperative that an appropriate agency be granted authority to conduct investigations and make recommendations.

Program coordinator

As previously mentioned, dog bite prevention efforts should be assisted by a paid staff person. Because the diversity of input is so great, it is recommended that the office of the advisory council's program coordinator be located within the municipality's coordinating agency. Individuals, agencies, or organizations that come into contact with or are aware of a "dangerous" dog or risky situation should provide this information to the coordinator. The coordinator should then relay all information to the proper recipients.

Animal control agencies

Animal control officers are the frontline in controlling animal bites. A well-resourced animal control agency is vital for public health and safety within any community. In some communities, animal control is a stand-alone agency. In others it is administered through the local city or county health director or is a subsidiary of the local police department or sheriff's office. Wherever located, the functions of animal control within communities are multiple, including:

- ? training of animal control officers and ancillary personnel
- ? licensing of dogs and cats
- ? enforcement of leash laws, ordinances, regulations, and statutes
- ? control of unrestrained and free-roaming animal populations
- ? investigation of animal bite-related incidents
- ? administration of rabies quarantine programs after an animal bites
- ? bite data management, analysis, and dissemination
- ? regulation of "dangerous" animals
- ? educational outreach within the community regarding responsible ownership, spay/neuter programs, control of "dangerous" animals, rabies vaccinations
- ? coordination of efforts

Larger communities often possess more resources to properly fund animal control agencies and provide adequate staff¹⁷ and training; however, smaller animal control programs can also be effective, even when they operate on a limited budget. Dedicated personnel can accomplish much if they have community support, including support from law enforcement and the judiciary.

Preventive measures

Preventive measures are designed to minimize risk and should be addressed by all communities.

Control of unrestrained and free-roaming animals—Reasonable and enforceable laws or ordinances are required for good control of unrestrained or free-roaming animals (**Appendix 2**).¹⁸ Laws written to ensure that owned animals are confined to their property or kept on a leash make freeing a community of unrestrained and free-roaming animals easier. Although most dog bites occur on the property where the dog lives, unrestrained or free-roaming dogs do pose a substantial threat to the public. Enforcement of restraint laws is, therefore, essential if the incidence of dog bites is to be reduced. It is important to protect animal owners by providing an adequate amount of time for them to claim animals that have been impounded. Because of economic constraints, the current standard in the industry is 3 working days; however, 5 days may be more reasonable to ensure successful owner-animal reunions. Control of unrestrained and free-roaming animal populations requires an adequately staffed, trained, and funded animal control agency.

Licensing of dogs—The primary benefit of licensing animals is identification, should that animal

become lost. Licensing also ensures rabies vaccinations are current, allows quick identification in case of a bite incident, and provides revenue to help offset the costs of administering the animal control program. An effective program can be a source of reliable demographic data as well.

Vaccinations—Rabies vaccinations are normally a prerequisite for licensing dogs and cats, because they are an important control measure for a major public health concern. In addition to protecting pets, rabies vaccinations provide a barrier between infected wild animals and humans. Vaccination has reduced confirmed cases of rabies in dogs from 6,949 in 1947 to 126 in 1997.¹⁹

Breed or type bans—Concerns about "dangerous" dogs have caused many local governments to consider supplementing existing animal control laws with ordinances directed toward control of specific breeds or types of dogs. Members of the Task Force believe such ordinances are inappropriate and ineffective.

Statistics on fatalities and injuries caused by dogs cannot be responsibly used to document the "dangerousness" of a particular breed, relative to other breeds, for several reasons. First, a dog's tendency to bite depends on at least 5 interacting factors: heredity, early experience, later socialization and training, health (medical and behavioral), and victim behavior.⁷ Second, there is no reliable way to identify the number of dogs of a particular breed in the canine population at any given time (eg, 10 attacks by Doberman Pinschers relative to a total population of 10 dogs implies a different risk than 10 attacks by Labrador Retrievers relative to a population of 1,000 dogs). Third, statistics may be skewed, because often they do not consider multiple incidents caused by a single animal. Fourth, breed is often identified by individuals who are not familiar with breed characteristics and who commonly identify dogs of mixed ancestry as if they were purebreds. Fifth, the popularity of breeds changes over time, making comparison of breed-specific bite rates unreliable.

Breed-specific ordinances imply that there is an objective method of determining the breed of a particular dog, when in fact, there is not at this time. Owners of mixed-breed dogs or dogs that have not been registered with a national kennel club have no way of knowing whether their dog is one of the types identified and whether they are required to comply with a breed-specific ordinance. In addition, law enforcement personnel typically have no scientific means for determining a dog's breed that can withstand the rigors of legal challenge, nor do they have a foolproof method for deciding whether owners are in compliance or in violation of laws. Such laws assume that all dogs of a certain breed are likely to bite, instead of acknowledging that most dogs are not a problem. These laws often fail to take normal dog behavior into account and may not assign appropriate responsibilities to owners.

Some municipalities have attempted to address notice and enforcement problems created by unregistered and mixed-breed dogs by including in the ordinance a description of the breed at which the ordi-

nance is directed. Unfortunately, such descriptions are usually vague, rely on subjective visual observation, and result in many more dogs than those of the intended breed being subject to the restrictions of the ordinance.

Animal control legislation has traditionally been considered a constitutionally legitimate exercise of local government power to protect public safety and welfare. Breed-specific ordinances, however, raise constitutional questions concerning dog owners' fourteenth amendment rights of due process and equal protection.²⁰ When a specific breed of dog is selected for control, 2 constitutional questions are raised: first, because all types of dogs may inflict injury to people and property, ordinances addressing only 1 breed of dog appear to be underinclusive and, therefore, violate owners' equal protection rights; and second, because identification of a dog's breed with the certainty necessary to impose sanctions on the dog's owner is impossible, such ordinances have been considered unconstitutionally vague and, therefore, to violate due process.

After a bite occurs

It is important to have a well-defined postbite program in place to minimize physical and emotional pain for dog bite victims. This allows animal control personnel to work efficiently, protects animals that are victims of false allegations, and provides the judiciary with reasonable alternatives that address a variety of situations. State laws may dictate parts of this process.

Investigation of animal bite-related incidents—

Any animal bite or incident must be thoroughly investigated and substantiated by an agent of the empowered investigating authority such as an animal control officer, police officer, or peace officer. Ideally, the investigating authority should be the same authority that enforces related ordinances or laws to give continuity and credibility to all investigations. Investigating officers must be given authority to perform their duties by statute or ordinance. Clear, concise, standardized information concerning the incident must be obtained to ensure its successful resolution and facilitate long-term data collection (**Appendix 3**).

Postbite rabies quarantine programs—A healthy dog that is currently vaccinated against rabies and that bites a human should be examined by a licensed veterinarian to determine its health status. If no signs of illness compatible with rabies are detected, the dog should be quarantined. The Centers for Disease Control and Prevention has set the quarantine period for dogs, cats, and ferrets at 10 days, including the day of the bite. Vaccinated dogs can be allocated to 2 categories: those that have bitten a member of the immediate family and those that have bitten an individual outside the immediate family. Home quarantine can be considered for vaccinated dogs that have bitten a member of the immediate family, assuming the owner can confine the dog in a manner that prevents further exposure. Vaccinated dogs that have bitten a human outside of the immediate family generally should be quarantined at the local shelter or veterinarian's office. At the end of the quarantine period, the dog should

undergo a physical examination. In addition, interim evaluations are highly recommended.

A dog that is not currently vaccinated against rabies and that bites a human should be considered a rabies suspect and be appropriately quarantined. Contact with the dog during the quarantine period should be strictly limited to individuals who have completed rabies prophylaxis and are up-to-date on serologic testing and booster vaccinations. Physical examinations should be conducted at the beginning and end of the quarantine period to determine the dog's health status. Quarantined dogs may be treated by a veterinarian, but rabies vaccines should not be administered to the dog until the quarantine period is complete. If at any time during the quarantine period the dog has signs of illness compatible with rabies, it should be humanely euthanatized and samples submitted for rabies testing.

Records of all bites must be kept, including information specifically identifying the dog and owner. These should be crosschecked with each incident for evidence of a chronic problem.

Identification and regulation of "dangerous"

dogs—Certain dogs may be identified within a community as being "dangerous," usually as the result of a serious injury or threat. That classification, because it carries with it serious implications, should be well defined by law (**Appendix 4**). Any such definition should include an exclusion for justifiable actions of dogs. Procedures should be outlined that take into account the potential public health threat, are reasonable to enforce, and convey the seriousness of the situation to the owner. Although animal control officers or their statutory counterparts are responsible for collecting information, a judge or justice will hear evidence from animal control officers and the dog's owner to determine whether that dog fits established criteria for "dangerousness." In some municipalities, a hearing panel comprising a cross section of private citizens hears alleged "dangerous" dog evidence and has been given the authority to declare a dog "dangerous" if deemed appropriate. Any declaration by a hearing panel, judge, or justice is subject to judicial review.

A judge, justice, or hearing panel may promulgate orders directing an animal control officer to seize and hold an alleged "dangerous" dog pending judicial review. If a dog is determined to be "dangerous" by a judge, justice, or hearing panel, the owner of that dog is usually required to register the dog with the appropriate health department or animal control facility. The judicial process may also require the owner to follow other rigid requirements, including but not limited to permanent identification of offending dogs, training and assessment of dogs and owners, and having offending dogs spayed or neutered.

Because the judicial branch is such an integral part of any enforcement action, the judiciary must assist during formulation of "dangerous" dog laws. If the judiciary is involved, its members will be aware of the process that must be followed to declare a dog "dangerous." In addition, they will be aware of steps that have already been completed and the options available when a particular case reaches the courts.

Bite Data Reporting

Accurate and complete reporting of dog bites is an essential element of a bite prevention program. These reports are vital not only for case management and judicial review but for planning, implementing, and evaluating the status of the problem. Major goals of comprehensive dog bite data reporting include:

- ? accurately defining victim demographics to identify populations at greatest risk for bites and allow targeting of educational efforts
- ? defining dog and owner characteristics associated with higher risk so that an actuarial approach to the dog bite problem is possible (this facilitates effective program planning and proper targeting of control measures)
- ? defining high risk geographic areas at city, county, or neighborhood levels so that limited resources for animal control and public education can be appropriately deployed
- ? establishing baseline data so that the impact of specific elements of the bite prevention program can be assessed
- ? providing an accurate, detailed, unbiased, objective source of information for decision makers, media, and the public interested in the dog bite problem and its prevention
- ? providing critical information for proper management of dog bite cases

What should be reported?

At a minimum, a dog bite case should be defined as any medically-attended dog bite or any dog bite resulting in a report to an animal control or law enforcement agency. This would presumably cover those instances consuming public resources and would also include cases that may result in litigation.

A number of data elements should be captured on a report form such that it is comprehensive in scope without placing unnecessary burdens on reporting agencies (Appendix 3). Fatal and severe dog attacks on humans have been associated with prior or concurrent attacks on pets or livestock, so it is important that communities also track those incidents. Maintaining records of incidents of menacing behaviors of owned dogs running at large in the community may be found useful in later legal actions.

Who should report?

The goal is to report any medically treated dog bite or any bite resulting in a report to, or response from, an animal control agency, humane society with animal control responsibilities, or law enforcement agency. Therefore, the primary sources of data should be:

- ? animal control or law enforcement agencies responding to a dog bite complaint
- ? health professionals attending to a bite injury (hospital emergency staff, urgent care facility staff, private physicians, school or camp medical staff, medical staff of other entities such as military bases or reservations, and veterinarians)

Recognizing that many dog bites go unreported, a comprehensive program to assess dog bite incidence

should consider possible secondary sources of data. These may include:

- ? anonymous surveys of high-risk populations (eg, school-age children) that may clarify the true extent of risk in a community
- ? anonymous surveys of the public (eg, phone surveys) that can help document the extent of bite injuries and provide a basis for estimating the ratio of unreported to reported bites
- ? reports from professionals including veterinarians, animal behaviorists, dog trainers, groomers, and kennel operators who are informed of a bite incident (mandating that any or all of these professions report bites may be unrealistic given the potential legal consequences of identifying an animal as a biter)

Reporting mandates are often inconsistent between jurisdictions or are poorly enforced. Current local and state reporting regulations should be reviewed, as should directives from health or veterinary officials. If current provisions are adequate, it may be necessary to implement procedures to reeducate professionals concerning their reporting obligations and periodically remind them of these obligations. When a failure to report is uncovered, it may be an opportunity to gain the attention of the professional, because sanctions may be imposed.

Who should receive reports?

Reporting should be coordinated by one agency. Logical agencies to coordinate reports include animal control or the public health department. The coordinating agency, perhaps through the dog bite prevention program coordinator, must assume responsibility for maintaining all information and disseminating that information to other appropriate individuals or agencies (eg, veterinarians, physicians, the dog owner, and those involved in follow-up educational efforts).

To insure consistency and compliance, regulations or procedures should unambiguously state to whom reports should be submitted and within what time frame the reports should be submitted.

Data management, analysis, interpretation, and dissemination

Because multiple sources may report the same case, procedures should be in place to permit combination of data from multiple sources into a single report. Avenues should be developed for electronic submission of reports to assist in rapid response, to streamline reporting to higher levels of government, and to facilitate data analysis. Whereas disposition of individual incidents is the first goal for reporting, there is much to be learned from looking at the overall picture. Keeping information in an electronic database simplifies the latter.

Data should be reviewed at regular intervals (no less than yearly) to determine whether the incidence and severity of dog bites is getting better, worse, or staying the same. Basic analysis consists of studying the characteristics of incidents, including:

- ? time—yearly trends, peak months, day of week, time of day. This can help with scheduling animal

control services as well as dispatch and response planning.

- ? place—locating every incident on a map with a pin. Are there hot spots? This can help target high risk areas for future control.
- ? person—victims and animal owners: age, sex, race, size. Can they be targeted for education?
- ? dog—proportion of offenders by sex and breed, proportion running at large, proportion neutered, proportion with prior reported problems, history of rabies vaccinations, licensing history. Have these proportions changed over time?

Successful evaluation and resolution of a community problem and accurate assimilation, evaluation, and use of quality data requires interactive assessment, feedback, and information exchange. City, county, and state public health practitioners, epidemiologists, and representatives of public health organizations (eg, the National Association of State Public Health Veterinarians, the Council of State and Territorial Epidemiologists, the Association of State and Territorial Health Officers, and the National Association of County and City Health Officials) can provide communities with considerable expertise in the acquisition and interpretation of dog bite data. Their participation should be encouraged.

Education

Education is key to reducing dog bites within a community. The list of those to be educated and those who may educate includes everyone who regularly comes into contact with dog owners and potential victims (eg, veterinarians, veterinary technicians and assistants, animal control officers, animal behaviorists, dog trainers, humane society personnel, physicians, school nurses, public health officials, teachers, and parents).

The purposes of this section are to educate city officials and community leaders about the role of various professionals in an educational program to reduce dog bites, provide starting references to ensure a core of knowledge for those professionals (**Appendix 5**), and assist in identification of the educational needs of various constituencies within a community.

Public officials and community leaders

Public officials and community leaders are the people to whom residents look for assistance with social problems. Their influence is important and well recognized. If a community dog bite prevention program is to gain public acceptance and be effective, community leaders must be well-informed about dog-related issues within their community and in general.

Professionals

Professionals from many backgrounds need to be involved in bite prevention programs. Their expertise is essential to making realistic decisions about what should and can be done to prevent or follow up on dog bite incidents and in recognizing what is normal or abnormal behavior for a dog. Several of these professionals will likely be members of the advisory commit-

tee, but all should be encouraged to be a part of a community's efforts to decrease the impact of a dog bite problem.

Many professions mentioned in this document are science-based. This means their members are used to making decisions on the basis of peer-reviewed data-supported information rather than gut feelings. This approach to decision making results in improved outcomes. Because the dog bite problem impacts so many different groups, networking between community leaders and professionals is important. The following sections describe ways that various professionals and community leaders can work together toward a common goal.

Veterinarians—Veterinarians are scientists trained for a minimum of 7 to 8 years and then licensed to diagnose and treat animal problems both medical and behavioral. Although most people think of veterinarians as performing animal vaccinations and surgical neutering, the practice of veterinary medicine includes all subdisciplines typically associated with human medicine. The study of animal behavior both normal and abnormal has become more important within the profession as animals have become more important to their owners. Dogs are now four-legged members of the family, rather than farm animals that help bring cows into the barn at milking time. With this change in the dog's role have come unrealistic owner expectations about what constitutes normal behavior for a dog. Veterinarians can educate dog owners as to what behavior is normal, can help dog owners teach their dogs to respond appropriately in various environments and provide referrals to reputable dog trainers, and can assist owners with behavioral problems, including those that have a medical basis or are responsive to medication.

Until recently, animal behavior was not often taught in veterinary curricula. Many veterinarians have had to acquire their knowledge of normal and abnormal canine behavior from continuing education programs and professional textbooks. For this reason, different veterinarians have different degrees of knowledge about behavior. All veterinarians, however, have access to board-certified veterinary behaviorists for help with behavioral problems beyond their expertise.

Although the time, physical, and emotional demands of veterinary practice can be overwhelming and leave limited time to devote to a formal community prevention program, veterinarians can substantially impact prevention efforts through their professional contact with prospective and current dog owners. This contact should begin before the pet is acquired. Providing unbiased information on pet selection can help prevent inappropriate owner-dog pairings. Prospective dog owners often make spur-of-the-moment selections that are based on warm-and-fuzzy feelings and unrealistic expectations. Encouraging prospective dog owners to seek information from their veterinarian about the characteristics and needs of various types of pets and encouraging future dog owners to ask for guarantees from puppy providers can minimize future problems. When owners take their newly

acquired dogs to their veterinarian for an initial examination and immunizations, the veterinarian has a second opportunity to provide these owners with good medical, nutritional, and behavioral advice.²¹ Finally, veterinarians can educate owners during their dogs' routine examinations (asking appropriate questions can reveal problems an owner may not have recognized) or when their dogs are evaluated for specific problems.

Board-certified veterinary behaviorists—The American College of Veterinary Behaviorists (ACVB), an American Veterinary Medical Association-recognized veterinary specialty organization, certifies graduate veterinarians in the specialty of veterinary behavior. To become certified, a veterinarian must have extensive postgraduate training, sufficient experience, and pass a credential review and examination set by the ACVB. Diplomates of this organization work with problem animals by referral from the animal's regular veterinarian, consult with practitioners on cases, and give continuing education seminars on animal behavior. Although many communities may not have the benefit of a resident board-certified veterinary behaviorist, veterinarians have access to and may consult with their specialist colleagues when necessary.

Veterinary technicians—Veterinary technicians are integral members of the veterinary health care team who have been educated in the care and handling of animals, basic principles of normal and abnormal life processes, and routine laboratory and clinical procedures. They perform many of the same tasks for veterinarians that nurses and others perform for physicians. Veterinary technicians are often frontline people when it comes to educating pet owners, particularly in general veterinary practices; they greet clients and answer initial inquiries, clarify instructions, provide clients with appropriate print, audio, and video educational material, and answer questions. Certainly, they are an important part of the educational team when it comes to dog bite prevention.

Like veterinarians, veterinary technicians have several opportunities to educate clients. Veterinarians may be consulted prior to owners acquiring a new pet, and veterinary technicians can help provide information on appropriate pet selection. Veterinary technicians regularly counsel owners during new puppy appointments, and this is a particularly good opportunity to provide owners with information on bite prevention, including the importance of socialization and training. Routine physical examinations are times when veterinary technicians can reinforce the importance of these early lessons and training, and they can help veterinarians identify potential aggression problems through observation and dialog with owners. Veterinary technicians can also be tapped to educate nonpet-owning children and adults through school or other programs.

Veterinary technology programs do not always offer curricula in animal behavior and, consequently, many technicians do not have formal training in this area when they enter practice. Continuing education that includes basic principles of animal behavior is

essential for veterinary technicians, just as it is for their employers. Maintaining a clinic reference library of appropriate print, audio, and video material for reinforcement and enrichment and for client education is useful.

Behavioral education for veterinary technicians relative to dog bite prevention should include recognition of classic canine behavioral displays and an understanding of the basic types of canine aggression and their prevention. The aim is to assist technicians in conveying dog bite prevention information to owners. Veterinary technicians must not be placed in the role of diagnosing or treating canine aggression.

Animal behaviorists—There are a number of scientists with PhD degrees in academic fields related to animal behavior who can serve as valuable resources for communities attempting to reduce dog bite injuries. Because of their science-based backgrounds, they can be particularly helpful in setting up protocols to determine the extent of the problem within a community and whether ongoing programs are having a substantial impact.

As a note of caution, the terms animal behaviorist or animal psychologist are often used by individuals who do not have strong scientific backgrounds but who want to work with problem dogs. There is no method to evaluate the competence of these individuals, and they may be more harmful than helpful to a community's efforts.

Dog trainers—This is a diverse group of individuals with no uniformly recognized credentialing body or measures of competence. Although there are many good dog trainers, there are also trainers that use inappropriate methods of behavioral modification that can negatively affect a dog's behavior, making the dog more dangerous to the owner and the community. It is important that communities make a concerted effort to work with responsible trainers who interact closely with veterinarians and PhD-degreed animal behaviorists. A qualified responsible dog trainer can be a valuable asset to a community advisory group.

Obedience training by itself does not prevent the development of behavior problems,²² and animals that are sent to a training facility may not learn how to obey their owners, because the owners do not learn how to give commands. For problem animals, training is only part of the solution.

Physicians and nurses—With a dog residing in 1 of every 3 US homes and approximately 53 million dogs in the United States,^{2,3,6} exposure of the physician or nurse, their family members, or their patients to dogs during the course of daily life is inevitable. Dogs have become important members of many families, and the presence of a pet in the home can affect an individual's own decisions about care. Most physicians are familiar with at least 1 example of a person refusing hospitalization, because there was no one else in the home to care for their pet.

Because 334,000 Americans are seen in emergency departments for dog bite injuries each year, 466,000 are seen in other medical practice settings, and 6,000

are hospitalized,⁶ it behooves human healthcare providers to acquaint themselves with community and personal strategies to prevent dog bites. Furthermore, just as occurrences of infectious diseases such as measles are reported to enable investigation of outbreaks and development of control measures to protect the public, dog bites must be reported so that cause and prevention can be addressed. Communities differ in their requirements for reporting, and practitioners must understand what is required in their area.

Traditionally, when confronted with patients seeking care for dog bites, physicians and nurses have confined their roles to providing medical treatment. With the expanding roles of physicians and nurses, however, disease prevention has become an important issue. In addition to competently treating dog bites and their complications, healthcare providers need to be aware of critical roles they can play in reducing dog bite injuries.

Advising patients about safe behaviors appears effective in preventing injury.²³⁻²⁶ Teaching children, parents, and patients who own dogs about proper behavior around dogs and responsible dog ownership is advisable given the frequency of human-canine contact in our society. Physicians can recommend contacting a veterinarian for pet selection information and advice if an individual or family is considering dog ownership, and for information about canine behavior and obedience training if a dog is already part of the family. Pediatricians provide age-appropriate injury prevention counseling during wellness visits.²⁶ Dog bite prevention should be a part of this counseling. Dog safety tips can also be included in packets of materials routinely sent home with new mothers.

When a patient is being treated for a bite, an opportunity exists to prevent future injury by teaching bite-avoidance strategies. Probing into the circumstances of the current bite may reveal which strategies should be emphasized. Taking advantage of teachable moments should be considered part of curative care. Consulting with a veterinarian may help human health care providers identify subjects they can address during postbite sessions.

As witnesses to the health-related outcomes of dog bites, physicians and nurses are particularly credible sources of information and can be effective spokespersons. Pediatricians and nurses should be full partners in community efforts to reduce dog bite injuries.

Animal control personnel—The staff of a well-resourced animal control program often includes an education coordinator who can train teachers, school nurses, and volunteers to become dog bite prevention educators within the community's school system (similar to volunteers in the McGruff crime prevention program presented to primary-school children). For animal control personnel, job-related continuing education is important. Programs are available through the National Animal Control Association.

Humane society/animal shelter/rescue group personnel—Dog bite injuries have negative repercussions for dogs as well as people, and humane society/animal shelter/rescue group personnel must deal with these

issues. Dogs causing severe injuries may be brought to humane facilities for rabies quarantine or euthanasia. Dogs that have threatened to bite or that have nipped may be surrendered to shelters or rescue groups, sometimes without full acknowledgment by their owners.¹⁶ Shelter personnel are forced to decide which dogs can be placed in new homes and which are not suitable for adoption. Progressive organizations work with veterinarians and animal control officers to educate their staff about safe dog handling and objective evaluation techniques. Record keeping and follow-up studies expand their knowledge base about what works in their community and what does not. Well-trained and dedicated humane society/animal shelter/rescue group personnel can be valuable community resources for public education as well.

Public

Public education is critical to the success of any dog bite prevention program, because half of all bites are inflicted by the family dog.²⁷ Only about 10% of bites are inflicted by dogs unknown to the victim.^{7,15} A public education effort must target a variety of individuals and age groups, and one individual should be assigned to integrate its components. If a special advisory council or task force is convened, its paid coordinator would be a logical choice to coordinate the public education effort. Alternatively, the public education coordinator could be a member of a municipal group such as the local health department, animal control agency, or board of education, or a member of a stakeholder group such as a humane society or veterinary association. Many educational programs targeted at various audiences exist and are included in the dog bite prevention resource list found on the American Veterinary Medical Association Web site (www.avma.org). As new materials become available, they will be added to this resource list.

Children—Children are the most common victims of serious dog bites. Seventy percent of fatal dog attacks and more than half of bite wounds requiring medical attention involve children.^{7,9,15} In addition, almost half of all children are bitten before 18 years of age.^{27,28} The most vulnerable youngsters are 5- to 9-year-old boys,^{6,7,8} but smaller children can also be seriously injured.²⁹ Dog bite injuries rank third only to bicycle and baseball/softball injuries as a leading cause of emergency admission of children to hospitals.⁶ Children's natural behaviors, including running, yelling, grabbing, hitting, quick and darting movements, and maintaining eye contact, put them at risk for dog bite injuries. Proximity of a child's face to the dog also increases the likelihood that facial injuries will occur.^{6,7,29-31}

Target group—The first step in a child education effort is determining what population of children to target and when. The logical primary audience is those at greatest risk: children in grades kindergarten through 4. Late winter or early spring appears to be the best time to institute a campaign, because the school year is concluding and, as children spend more time outside, exposure risk increases.³² It is critical

that school administrators buy into the concept of a dog bite prevention program; therefore, requests to the school district must be made by committed convincing well-organized individuals. Because school curricula are crowded, time blocks for dog bite prevention education should be requested early within the school system's calendar year. If such a block of time is not available, an alternative is to have a veterinarian or physician present a 1-hour lecture or assembly program to the entire student body. Once dog bite prevention education has been included within the curriculum (or has been scheduled to be provided through a special lecture or assembly program), teachers, nurses, and volunteers should consider addressing the school's parent-teacher organization to inform parents of upcoming dog bite prevention training for their children.

Secondary efforts—Secondary targets include children in other settings, such as early education programs (eg, Head Start, day care centers, recreational centers, and camps).

Identifying instructors—Who teaches the material will depend on expertise within the community. For classroom instruction, teachers who have had in-service training, school nursing staff, health educators, or trained volunteers are logical choices. Stakeholder groups (eg, veterinarians, veterinary technicians, animal control officers, physicians, nurses, humane society staff) may provide a ready source of volunteers for classroom instruction and special programs.

Adults—Adult citizens must understand the need for and support a strong dog bite prevention program not only for their own safety but for the safety of others in their community. It is this understanding that gives a prevention program long-term stability. All adults should learn appropriate behaviors around dogs so that they can protect themselves, teach their own children, serve as an example for others, and reinforce appropriate behaviors in other children at every opportunity. Adults also serve as local eyes for animal control so that roaming dogs are controlled.

Educational materials sent home with school children, distributed by pediatricians during well-child visits, inserted in public utility bills, and produced by an enlightened local media are all reasonable approaches. Involving representatives of service organizations and community groups during a prevention program's planning and active stages will strengthen commitment.

Active adults (eg, joggers, bicyclists, golfers) whose outdoor activities provide greater exposure to dogs are most at risk for injury. To reach these individuals, bite prevention information should be provided to local interest groups, recreational facilities, and health clubs.

Target group—Primary adult targets within the community are those who have children and who are active in outdoor activities.

Secondary efforts—Secondary targets include individuals between the ages of 21 and 65 years.

Identifying instructors—Materials can be developed or selected by animal control personnel, veterinarians, veterinary technicians, or other people knowledgeable about dog behavior. Information can be distributed through a number of channels such as those identified above.

The elderly—As people age, they become more susceptible to injury and disease. Thinning skin increases risk of bruising, and a bite producing a simple puncture wound in a younger individual can cause a severe laceration in a senior citizen. Sensory perception decreases so that an elderly person may not see a threatening dog or may not be able to read its behavioral signals accurately. In addition, diminished motor skills mean that the elderly are less able to physically protect themselves or escape.

Another concern for the elderly is that their beloved pet may not be trustworthy around their grandchildren. Dogs not raised around small children or not frequently exposed to them may not be socialized toward them.¹ This increases the likelihood of aggressive behavior being directed toward these children.

An educational program for senior citizens can be implemented in various settings. Materials may be provided through community services for the elderly such as church groups, visiting nurse programs, meals-on-wheels, recreational centers, or travel groups. Secondary targets are shopping malls and the media. Trained volunteers, especially from dog-associated professions, are logical sources of information. Human healthcare professionals can be an important source of information for the elderly because of the frequency of their interactions.

Target group—Primary targets are grandparents and people aged 60 years or older who have dogs in their homes.

Secondary efforts—Secondary targets include other individuals who are at least 60 years old.

Identifying instructors—Physicians can interact with these people during clinic visits. Animal control personnel, veterinarians, veterinary technicians, and people knowledgeable about dog behavior can select or produce resource information.

Animal owners—People who own dogs have a wide variety of views about their responsibilities. For some, dog care means providing food and water when the thought occurs to them. At the other end of this spectrum is the person who actively makes sure the pet is appropriately fed, well-trained, licensed, and healthy. Some individuals view dogs as disposable items that can be abandoned at any sign of trouble or expense. Once a community establishes acceptable standards for responsible ownership, dog owners must be informed of these expectations and related ordinances, and rules must be enforced. Owners and future owners must be educated about their unique set of responsibilities, which include appropriate pet selection, providing quality nutrition, housing, and medical care, compliance with confinement and licensing requirements,

appropriate behavioral training, and supervision of interactions between dogs and children. Citizens must understand that pet ownership is an ongoing responsibility, not a passive activity.

Dog owners can be provided with information through various avenues. Veterinarians and their staff are logical educators and distributors. Local dog clubs and trainers provide services to more conscientious owners. Businesses that sell pet foods and supplies should also be encouraged to provide bite prevention materials to their customers. Information can be distributed with utility bills, and animal shelters can provide classes for people who are considering acquiring a pet. Incentives for attendance at bite prevention classes could include reduced fees for licenses and coupons for vaccinations, food, and obedience classes. The most difficult group of dog owners to reach is those with minimal attachment to their pets. Although strong enforcement of local regulations will change some owners into former owners, most will continue to own dogs. Therefore, education should be an integral part of any enforcement program. A good working relationship with the judiciary is critical so that offenders of animal-related ordinances are required to take courses that emphasize responsible ownership.

Target group—Primary targets are adults who already own dogs.

Secondary efforts—Secondary targets are adults who are considering getting a new dog.

Identifying instructors—Information for this target audience can come from various sources, and its distribution should be approached in a number of ways. Animal control officers and members of the legal profession can describe what is expected regarding local regulations and the serious consequences if these regulations are violated. Veterinarians and their staff can educate owners about vaccinations, neutering, restraint, and other health care issues. Dog club members and trainers can assist by providing socialization and training instruction and can help educate owners about being good dog-owning neighbors.

Victims—When someone becomes a dog bite victim, a teachable moment is created. How useful that moment becomes in preventing future incidents depends tremendously on the seriousness of the bite and the fear response of the victim. Scare-producing or threatening events are good times for dog bite prevention information to be conveyed. However, the time surrounding a serious injury is generally too emotionally charged to be of value for dog bite prevention education.

Who provides information to victims depends, in part, on who is contacted about the incident. In addition to medical personnel, animal control's investigative efforts usually require a home visit. Routine visits to a physician should include gathering historical information about the patient's interactions with dogs to identify patients who would benefit from additional education. Media stories that reinforce correct approaches to prevention can also touch many when they are most receptive.

Target group—Individuals who have recently been bitten by a dog seriously enough to require medical attention but not so seriously as to have sustained severe injuries are the primary target.

Secondary efforts—Secondary targets are individuals who have been bitten by a dog in the past.

Identifying instructors—Medical professionals and animal control personnel are the individuals who encounter this group.

Businesses—Community businesses need to address dog bite prevention as well. Certain businesses (eg, veterinary clinics, grooming and boarding facilities, animal control, pet sitting agencies) revolve around direct contact with dogs, and employee education is critical from a safety and liability standpoint. Employees of other businesses will occasionally encounter dogs in the course of their daily job activities (eg, utility workers, police officers, parcel carriers, and emergency medical technicians). Training conducted by an animal control officer or other knowledgeable professional may provide employees with the tools they need to safely handle contacts with at-large animals, attack/guard dogs, or dogs who simply reside on the premises of those facilities where they do business.

Target group—Primary targets are employees and business owners who will be working with dogs on a daily basis.

Secondary efforts—Employees of companies who are likely to encounter dogs in their daily business activities can be considered secondary targets.

Identifying instructors—Animal control personnel, veterinarians, veterinary technicians, and dog trainers who are experienced at dealing with dogs in a variety of environments. These individuals will need to customize presentations to the type of situations most likely encountered by the target audiences.

Media

The local media play an important role in a community's efforts at bite prevention. For this reason, it is suggested that 1 member of the advisory council or task force be a media representative. In addition, the advisory council can be proactive in helping the media convey important and appropriate messages. Sensational events provide an opportunity to convey important messages. Regular features can reinforce principles and keep educational efforts flowing.

Know the media

Your key to the public eye and ear is a selective up-to-date list of local media contacts who have an interest in animal issues. Such a list can be developed by undertaking a comprehensive media survey. Check the local library for publications that list names, telephone numbers, and short descriptions of your community's media outlets. Call each office or studio to discover which desks or departments should receive your inquiries and press releases. Read local newspapers and listen to local radio and television news and feature

programs to identify reporters and hosts who address animal issues. Finding out whether these individuals gather their own news or use wire services will allow you to target press releases and materials to those who are most likely to use them. Contact local freelance writers to see whether they would be willing to feature a bite prevention message in an upcoming piece. Be aware that your media list will be dynamic, and take time to update the names of specific contacts. Once a helpful story is published, or a reporter conveys your message during a broadcast, be sure to acknowledge that effort by sending a thank-you note or making an appreciative telephone call.

A spokesperson

The community should identify a spokesperson who has the expertise to address complicated dog bite-related issues, and this individual should be provided with media training so that he/she becomes an effective communicator with the print and broadcast media. It is the spokesperson's responsibility to convey information clearly, accurately, and promptly. In various situations, this individual can identify when there are not enough animal control officers to prevent dog packs from forming or when a dog has been "sicked" on a person as a weapon. A knowledgeable and effective communicator can turn a publicized bite into a learning opportunity by providing suggestions on how that bite could have been prevented (eg, the dog was not appropriately controlled or confined, or a child was left unsupervised).

Have information readily available

The advisory council or task force should create a 1-page fact sheet for use by the media and the spokesperson. This fact sheet should include the number of dog bite incidents occurring in the community during the past year, the number of dogs in the community, the number of licensed dogs in the community, what local laws govern dog ownership and control, and to whom problems should be reported. A list of community resources should also be available.

Ways to effectively convey information

Because animal stories are popular with the media, there are numerous opportunities to convey bite prevention information. Local broadcast programs and newspapers find regular segments about animals popular with viewers/listeners/readers, and most of those spots have enough time for short lessons. Another approach is to proactively bring animal stories to the media. Examples include a story about a shelter dog that visits nursing homes after being rescued and appropriately trained, a description of a guide or "hero" dog's training, or warm-weather tips for pets. Effective mechanisms for providing information vary with the medium but include:

News releases—Releases may be provided to print, radio, or television outlets. Releases should be double-space typed on stationery that provides the source of the announcement (ie, the advisory council or task force). Include the subject of the news release and contact information in the upper left corner. The

mailing date of the release should be indicated along the right margin. The release should be written in inverted pyramid style, placing the most important information at the beginning. Releases should be limited to 1 page if possible.

Interviews—Interviews may be conducted by print, radio, or television reporters or hosts and, in the case of television and radio, may be live or taped. The individual being interviewed must be an excellent communicator and intimately familiar with dog bite issues and prevention. The interviewee may request a preinterview to get a grasp of the direction of the interview. It is advisable to tell the interviewer which issues you would definitely like to see addressed. Answers should be structured according to the program's time limits.

Talk shows—Most of the principles that apply to interviews also apply to talk shows, but in this situation there usually will be interaction with guests (who often hold opposing views), potentially with an audience, and with the host. Running through mock discussions prior to participation is helpful. Responses to questions or comments from those with opposing views should always be factual, sincere, and polite.

Public affairs programs—Many stations air 2 or 3 programs a week in which the station's news staff or station management interview a newsmaker, a spokesperson from an activist group, or a public relations representative from an industry. Issues in the news are often addressed by such programming. These provide a good opportunity to make your community aware of bite prevention efforts and to elicit support. Access to these programs may be requested by sending a letter to the station manager.

Bulletin board and community announcements—Many local television stations donate air time to announcements of community events. These are often broadcast in calendar format. This is an easy way to publicize educational events and responsible pet ownership classes.

Editorials—Editorials are used by print, radio, and television reporters to present their views on issues of public interest. Prepared statements describing the advisory council's approach to dog bite prevention can be provided to reporters for use in preparing an editorial or may be provided if a reporter presents an opposing viewpoint.

Public service announcements—Many radio and television stations donate time for **public service announcements (PSA)**; however, public service groups cannot specify when your PSA is to be aired. It is acceptable to suggest when you believe airing your PSA will be most effective. Most PSAs run for 30 to 60 seconds, although 10- and 20-second spots are also used. To mitigate the costs associated with production, you may want to contact local stations to see whether they offer sponsored placements, in which local advertisers donate time for specific public service messages. Public service announcements may consist of script only, sight and sound (simple or complex), or 16-mm film or videotape.

*See www.avma.org for additional and updated information.

^bAnderson RD, Nevada Department of Public Health, Reno, Nev: Personal communication, 1999.

^cNational Center for Injury Prevention and Control. *Resource guide—line for state and local injury control programs*; in preparation.

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Appendix 1

Groups potentially involved in dog bite prevention

A model program for preventing dog bites begins with assembling a local coalition. Wide representation of community views on the coalition helps ensure sufficient input and community acceptance of the program. Key players include:

- ? animal control officials
- ? attorneys, judges
- ? business sector (eg, local business leaders, insurance companies, pet stores)
- ? dog breeders and trainers
- ? educational system (eg, schools, parent-teacher organizations)
- ? health departments and public health associations
- ? humane societies
- ? human healthcare providers and associations (eg, nurses, pediatricians, community health centers, emergency medical service and ambulance companies, health maintenance organizations, hospitals, managed care organizations, medical associations, medical examiners' and coroners' offices, schools of medicine and public health, trauma centers)
- ? kennel clubs, dog clubs, assistance dog organizations
- ? law enforcement agencies
- ? local government officials
- ? media
- ? occupational safety organizations, agencies, and groups (eg, firefighters, meter readers)
- ? veterinary care providers and associations, allied staff, clinics, schools of veterinary medicine and veterinary technology
- ? volunteer nonprofit organizations (eg, boy/girl scouts; various "Y"s; 4-H clubs; chapters of the American Red Cross, Safe Kids, National Safety Council, and National Fire Protection Association; foundations; United Way; and civic groups [Kiwanis, Rotary])
- ? other groups (eg, sports recreation clubs [joggers, bicyclists], automobile clubs, extension offices)

Continued on next page.

Appendix 2

Model dog and cat control ordinance

Originally produced and published jointly by the American Veterinary Medical Association, the American Humane Association, the Humane Society of the United States, and the Pet Food Institute in 1976. Modifications have been made from the original version to reflect updated US Public Laws, current titles of other referenced documents, and present favored terminology and definitions concerning "dangerous" animals.

Section 1. Definitions

As used in this ordinance the following terms mean:

Animal—For the purpose of this ordinance, animal shall mean dog or cat.

Animal control authority—The person or persons designated to enforce this ordinance.

Animal establishment—Any pet shop, grooming shop, animal auction, performing-animal exhibition, kennel or animal shelter, except this term shall not include veterinary medical facilities, licensed research facilities, facilities operated by government agencies, or licensed animal dealers regulated by the USDA under the provisions of US Public Laws 89-544, 91-579, 94-279, 99-198, and 101-624.

Animal shelter—Facility designated or recognized by the [jurisdiction]* for the purpose of impounding and caring for animals.

At large—A dog or cat shall be deemed to be at large when off the property of the owner and not under restraint.

Humane manner—Care of an animal to include, but not be limited to, adequate heat, ventilation and sanitary shelter, wholesome food and water, consistent with the normal requirements and feedings habits of the animal's size, species, and breed.

Kennel—An establishment kept for the purpose of breeding, selling, or boarding dogs or cats or engaged in training dogs or cats.

Licensing authority—The agency or department of [jurisdiction] or any designated representative thereof charged with administering the issuance and/or revocation of permits and licenses under the provisions of this ordinance.

Livestock guarding dogs—Dogs kept for the primary purpose of protecting livestock from predatory attacks.

Neutered—Rendered permanently incapable of reproduction.

Nuisance—A dog or cat shall be considered a nuisance if it: damages, soils, defiles, or defecates on private property other than the owner's or on public walks and recreation areas unless such waste is immediately removed and properly disposed of by the owner; causes unsanitary, "dangerous," or offensive conditions; causes a disturbance by excessive barking or other noise making; or chases vehicles, or molests, attacks, or interferes with persons or other domestic animals on public property.

Owner—A person having the right of property or custody of a dog or cat or who keeps or harbors a dog or cat or knowingly permits a dog or cat to remain on or about any premises occupied by that person.

Person—Any individual, corporation, partnership, organization, or institution commonly recognized by law as a unit.

Pet shop—An establishment engaged in the business of buying or selling, at retail, dogs or cats or other animals for profit-making purposes.

Restraint—A dog or cat shall be considered under restraint if it is within the real property limits of its owner or secured by a leash or lead or under the control of a responsible person.

"Dangerous" dog or cat—A dog or cat that without justification attacks a person or domestic animal causing physical injury or death, or behaves in a manner that a reasonable person would believe poses an unjustified imminent threat or serious injury or death to one (1) or more persons or domestic animals.

Section 2. Licensing and rabies vaccination

- Except as provided in Section 3, no person shall own, keep, or harbor any dog or cat over four (4) months of age within [jurisdiction] unless such dog or cat is vaccinated and licensed. The provisions of this section do not apply to animals owned by a licensed research facility or held in a veterinary medical facility or government operated or licensed animal shelter.
- All dogs and cats shall be vaccinated against rabies by a licensed veterinarian, in accordance with the latest "Compendium of Animal Rabies Prevention and Control" authored by the National Association of State Public Health Veterinarians and published annually in the *Journal of the American Veterinary Medical Association*.
- A certificate of vaccination shall be issued to the owner of each animal vaccinated on a form recommended by the Compendium. Each owner shall also receive a durable vaccination tag indicating the year in which it was issued.[†]
- Application for a license must be made within thirty (30) days after obtaining a dog or cat over 4 months of age, except that this requirement will not apply to a nonresident keeping a dog or cat with the [jurisdiction] for no longer than sixty (60) days.

Written application for a dog or cat license shall be made to the [licensing authority] and shall include the name and address of the owner and the name, breed, color, age, and sex of the dog or cat. Applicants also shall pay the prescribed licensing fee and provide proof of current rabies vaccination.

- The licensing period shall be for \pm year(s). License renewal may be applied for within sixty (60) days prior to the expiration date. New residents must apply for a license within thirty (30) days of establishing residence.
- A license shall be issued after payment of a fee of \$_____ for each unneutered dog or cat and \$_____ for each neutered dog or cat. Persons who fail to obtain a license as required within the time period specified in this section will be subjected to a delinquent fee of \$_____.
- License fees shall be waived for dogs serving the blind or deaf or government-owned dogs used for law enforcement. All other licensing provisions shall apply.
- Upon acceptance of the license application and fee, the [licensing authority] shall issue a durable license tag including an identifying number, year of issuance, city, county, and state. Both rabies and license tags must be attached to the collar of the dog or cat. Tags must be worn at all times and are not transferable. [Licensing authority] shall maintain a record of all licenses issued, and such records shall be available to the [animal control authority].

Section 3. Permits

- No person shall operate an animal establishment without first obtaining a permit in compliance with this section.
- The permit period shall begin with the first day of the fiscal year and shall run for one (1) year. Renewal applications for permits may be made within sixty (60) days prior to the expiration date. Application for a permit to establish a new breeding animal establishment under the provisions of this ordinance may be made at any time.
- Annual permits shall be issued upon payment of the applicable fee:
 - For each kennel authorized to house less than six (6) dogs or cats \$ _____
 - For each kennel authorized to house six (6) but not more than forty-nine (49) dogs or cats \$ _____
 - For each kennel authorized to house fifty (50) or more dogs and cats \$ _____
 - For each pet shop \$ _____
 - For other animal establishments \$ _____
- A person who maintains a kennel of six (6) or more dogs or cats for breeding purposes may pay an annual permit fee or may elect to license individual dogs or cats as provided under

Section 2. Every facility regulated by this ordinance shall be considered a separate enterprise, requiring an individual permit.

- Under the provisions of this ordinance, no permit fee shall be required of any animal shelter. All other provisions shall apply. Any change in the category under which a permit is issued shall be reported to the [licensing authority] within sixty (60) days, whereupon reclassification and appropriate adjustment of the permit fee shall be made.
- Failure to comply with the provisions of this section is subject to a fine of \$_____.

Section 4. Issuance and revocation of permits and licenses

- The [appropriate authority] may revoke any permit or license if the person holding the permit or license refuses or fails to comply with this ordinance, the regulations promulgated by the [appropriate authority] or any other law governing the protection and keeping of animals.
- If an applicant is shown to have withheld or falsified any material information on the application, the [licensing authority] may refuse to issue or may revoke a permit or license.
- It shall be a condition of issuance of any permit for an animal establishment that the [appropriate authority] shall be permitted to inspect any and all animals and the premises where such animals are kept at any reasonable time during normal business hours. Where a permit is revoked for any cause, or pending appeal of any such action, the [appropriate authority] shall have power of entry on the premises and into all areas where animals are being kept. A person denied a permit may not reapply for a period of at least thirty (30) days. Each reapplication shall disclose any previous denial or revocation and shall be accompanied by a \$_____ fee.

Section 5. Owner responsibility

- All dogs and cats shall be kept under restraint.
- Every "dangerous" dog or cat, as determined by the [appropriate authority], shall be confined by its owner within a building or secure enclosure and shall be securely muzzled or caged whenever off the premises of its owner.
- No dog or cat shall be allowed to cause a nuisance. The owner of every dog or cat shall be held responsible for every behavior of such dog or cat under the provisions of this ordinance.
- Failure to comply with the provisions of this section shall be subject to a fine of \$_____.
- Dog and cat owners shall ensure that their dog or cat carries identification at all times in the form of microchip, tag, or other means to allow easy determination of the owners.
- Livestock guarding dogs shall be exempt from nuisance regulations when performing duties protecting livestock on premises owned or controlled by the owner.

Section 6. Impoundment

- Any dog or cat found running at large shall be impounded by the [animal control authority] in an animal shelter and confined in a humane manner. Immediately upon impounding a dog or cat, the [animal control authority] shall make every reasonable effort to notify the owner and inform such owner of the conditions whereby custody of the animal may be regained. Dogs and cats not claimed by their owners within a period of [five (5) full days][‡] in which the shelter is open to the public shall become the property of the [jurisdiction].
- When a dog or cat is found running at large and its ownership is verified by the [animal control authority], the authority may exercise the option of serving the owner with a notice of violation in lieu of impounding the animal.
- In the event that the [appropriate authority] finds dogs or cats to be suffering, it shall have the right forthwith to remove or cause to have removed any such animals to a safe place for care at the owner's expense or to euthanize them when necessary to prevent further suffering. Return to the owner may be withheld until the owner shall have made full payment for all expenses so incurred.
- Disposal of an animal by any method specified here in does not relieve the owner of liability for violations and any accrued charges.

Section 7. Redemption

- Any animal impounded may be redeemed by the owner thereof within five (5) days upon payment of an impoundment fee of \$_____, provided that if any such animal has been previously impounded, the impoundment fee shall be \$_____. Payment of impoundment fees is not considered to be in lieu of any fine, penalty, or license fees.
- Any animal confined for rabies quarantine, evidence, or other purpose may be redeemed by the owner thereof upon payment of a fee of \$_____.
- No animal required to be licensed or vaccinated under this ordinance may be redeemed until provisions for such licensing have been fulfilled.

Section 8. Adoption

An adoption fee of \$_____ shall be assessed at the time of adoption. No dog or cat shall be released for adoption as a pet without being neutered or without a written agreement from the adopter guaranteeing that the animal will be neutered. Vaccination fees, licensing fees, and veterinary costs may be assessed above and beyond the adoption fee.

Section 9. Interference

No person shall interfere with, hinder, or molest any agent of the [animal control authority] in the performance of any duty as herein provided.

Any person violating this section shall be deemed guilty of a misdemeanor and shall be subject to a fine of not less than \$_____ or more than \$_____.

Section 10. Repeals (conflicting ordinances)

All other ordinances of the [jurisdiction] that are in conflict with this ordinance are hereby repealed to the extent of such conflict.

Section 11. Severability

If any part of this ordinance shall be held invalid, such part shall be deemed severable and the invalidity thereof shall not affect the remaining parts of this ordinance.

Section 12. Applicability

This ordinance shall be in full force and effect upon the expiration of days after its passage and publication.

Section 13. Safety clause

The [jurisdiction] hereby finds, determines, and declares that this ordinance is necessary for the immediate preservation of the public health, safety, and welfare of the [jurisdiction] and the inhabitants thereof.

*For all occurrences of [], communities should insert their applicable agency. †The organizations developing this model ordinance recommended that licensing tags show, in addition to the license number, the city or county and state in which the animal is registered. This helps to alleviate the problem of an animal being left unidentified or unclaimed because it has been transported from one state to another and has no reference to the issuing city or county on the license tag. ‡Where blanks are found without insertions, communities should insert applicable fees or conditions. §Differential license fees for neutered animals serve as an incentive for responsible pet ownership. ¶Breakaway collars are recommended when tags are affixed to collars worn by cats. ¶¶It is recognized that holding periods will be determined to some degree by availability of facilities; however, it is important to ensure a reasonable opportunity for owners to reclaim their dog or cat.

Appendix 3

Recommended data elements for reports of dog bites

Data element	Comment	Data element	Comment
Notifications of dog attacks on humans. . .	A card or telephone report to be submitted by those providing care to the human victim	Dog information	
Name of victim		Name	
Address of victim		Breed	Indicate by whose designation (eg, owner report, animal control officer, law enforcement officer). This is important if breed data are to be interpreted.
Telephone (home and work)			
Parent contact information (if a minor)		Sex	
Incident date and time		Age	
Reported to whom		Weight	
Date and time of report		Reproductive status	
Notifications of dog attacks on animals . . .	A card or telephone report to be submitted by those providing care to the animal victim	Name of veterinarian	
		Rabies vaccination date	
Owner of victim		Rabies tag number	
Type of victim		License number	
Address of owner		Microchip number	
Telephone (home and work)		Degree of confinement	Identifying different forms of confinement (eg, chaining, tethering, electronic fence) is important if risk associated with these practices is to be assessed.
Incident date and time		at time of bite	
Name and address of owner or custodian of attacking dog			
Reported to whom		Prior incidents	
Date and time of report		Obedience training	
For animal control investigations		Circumstances of the bite	
Agency information		Victim account	
Case number		Owner's account	
Report date and time		Witness account	
Incident date and time		(contact information)	
Who reported the case		Number of dogs involved	Attacks by multiple dogs may account for 20 to 30% of incidents. Forms for these animals could be given case numbers with a special designation (eg, 123A, 123B).
Report received by			
Location of incident			
Victim information		Injury information	
Name		Location of injury	
Breed (if animal)		Nature of injury	
Age and date of birth		Severity of injury	
Sex			
Address		Animal disposition	
Telephone (home and work)		Quarantine location	
Parent contact information (if minor)		Date of quarantine	
Rabies immunization status (if animal)		Date to be released	
Owner information		Quarantined by	
Name		Euthanatized	
Age and date of birth			
Sex			
Address			
Telephone (home and work)			

Continued on next page.

Appendix 4

Model legislation for the identification and regulation of "dangerous" dogs

- A. Actions allowed by authorized persons prior to hearing
1. If any dog shall attack a person or domestic animal who was peaceably conducting himself in any place where he may lawfully be, any person, for the purpose preventing imminent injury or further injury, may use such force as is required to stop the attack.
 2. A police officer or peace officer acting pursuant to his statutory duties may, where the threat of serious injury to a person or domestic animal is imminent and unjustified, use such force as is required to prevent such injury.
- B. Definitions
1.
 - a. "Dangerous dog" means any dog which without justification attacks a person or domestic animal causing physical injury or death, or behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of serious injury or death to one or more persons or domestic animals. A dog's breed shall not be considered in determining whether or not it is "dangerous." Further,
 - b. No dog may be declared "dangerous"
 - i. If the dog was protecting or defending a person within the immediate vicinity of the dog from an attack or assault;
 - ii. If at the time the person was committing a crime or offense upon the property of the owner, or custodian, of the dog;
 - iii. If the person was teasing, tormenting, abusing or assaulting the dog, or in the past had teased, tormented, abused or assaulted the dog;
 - iv. If the dog was attacked or menaced by the domestic animal, or the domestic animal was on the property of the owner, or custodian, of the dog;
 - v. If the dog was responding to pain or injury, or protecting itself, its kennels or its offspring;
 - vi. If the person or domestic animal was disturbing the dog's natural functions such as sleeping or eating.
 - vii. Neither growling nor barking, nor both, shall alone constitute grounds upon which to find a dog to be "dangerous."
 2. "Attack" means aggressive physical contact initiated by the dog.
 3. "Serious injury" means any physical injury consisting of broken bones or a permanently disfiguring laceration requiring either multiple stitches or cosmetic surgery.
 4. "Domestic animal" means any animal commonly kept as a pet in family households in the United States, including, but not limited to dogs, cats, guinea pigs, rabbits and hamsters; and any animals commonly kept for companion or commercial purposes.
- C. Hearing procedure
1. Any person may make a complaint of an alleged "dangerous" dog as that term is defined herein to a police officer or peace officer of the appropriate municipality. Such officers shall immediately inform the complainant of his right to commence a proceeding provided for in Paragraph 2, immediately below, and, if there is reason to believe the dog is a "dangerous" dog, the officer shall forthwith commence such proceeding himself.
 2. Any person may, and any police officer, or peace officer acting within the scope of his statutory duties, shall make a complaint under oath or affirmation of an alleged dangerous dog as that term is defined herein to any municipal judge or justice. Thereupon, the judge or justice, or hearing panel subject to judicial review, shall immediately determine if there is probable cause to believe the dog is a "dangerous" dog and, if so, shall issue an order to any police officer or peace officer pursuant to his statutory duties or animal control officer directing such officer to immediately seize such dog and hold same pending judicial determination as herein provided. Whether or not the judge or justice, or hearing panel subject to judicial review, finds there is probable cause for such seizure, he shall, within five (5) days and upon written notice of not less than three (3) days to the owner of the dog, hold a hearing on the complaint.
- D. Where a dog is determined pursuant to clear and convincing evidence at a duly constituted hearing to be "dangerous," the judge or justice, or hearing panel subject to judicial review, shall require the owner of said animal to register such animal (with the appropriate Health Department or animal control facility), and to provide prompt notification to (the appropriate Health Department or animal control facility) of any changes in the ownership of the animal; names, addresses and telephone numbers of new owners; any change in the health status of the animal; any further instances of attack; any claims made or lawsuits brought as a result of further instances of attack; the death of the animal. In addition, the judge or justice, or hearing panel subject to judicial review, may require any or all of the following, but items 5, 6 and 11, or any one of them, may only be imposed where there has been serious injury to a person.
1. Indoors, when not alone, the dog be under the control of a person eighteen (18) years or older. (Provisions for the dog to be outdoors must also be made.)
 2. Outdoors and unattended, the dog be kept within a locked fenced area from which it cannot escape.
 3. When outdoors the dog must be attended and kept within a fenced area from which it cannot escape.
 4. When outdoors the dog must be attended and kept on a leash no longer than six (6) feet and under the control of a person eighteen (18) years of age or older.
 5. When outdoors the dog must be attended and muzzled. Such muzzle shall not cause injury to the dog or interfere with its vision or respiration but shall prevent it from biting any person or animal.
 6. Outdoors and unattended, the dog must be confined to an escape-proof kennel of the following description:
 - a. Such kennel shall allow the dog to stand normally and without restriction, and shall be at least two and one half (2.5) times the length of the dog, and shall protect the dog from the elements.
 - b. Fencing materials shall not have openings with a diameter of more than two (2) inches, and in the case of wooden fences, the gaps shall not be more than two (2) inches.
 - c. Any gates within such kennel or structure shall be lockable and of such design as to prevent the entry of children or the escape of the animal, and when the dog is confined to such kennel and unattended such locks shall be kept locked.
 - d. The kennel may be required to have double exterior walls to prevent the insertion of fingers, hands or other objects.
 7. Placement of a sign or signs of a description and in places directed by the judge or justice, advising the public of the presence and tendencies of said animal.
 8. Attendance by the dog and its owner/custodian at training sessions conducted by a certified applied animal behaviorist, board certified veterinary behaviorist or other recognized expert in the field and completion of training or any other treatment as deemed appropriate by such expert. The owners of the dog shall be responsible for all costs associated with the evaluation and training ordered under this section.
 9. Neutering or spaying of the dog at the owner's expense, unless medically contraindicated.
 10. That the dog be permanently identified by tattooing or by injecting an identification microchip, using standard veterinary procedures and practices, identification number and the identification of the person performing the procedure to be registered with the (appropriate health department or animal control facility) as indicated above.
 11. The procurement of liability insurance in an amount to be determined by the judge or justice, but in no case in an amount of less than fifty thousand dollars (\$50,000), covering the medical and or veterinary costs resulting from future actions of the dog (a determination of liability shall be made in accordance with the laws of the jurisdiction). This condition may not be imposed if it is shown that no such insurance is available for a reasonable premium.
 12. If any of the above conditions ordered by a judge or justice, or hearing panel subject to judicial review, are not complied with, the owner shall be subject to a fine of not more than ten thousand dollars (\$10,000).
 13. If a further incident of attack occurs under such circumstances that the dog, after a hearing as described above, is determined to be a "dangerous" dog, the judge or justice, or hearing panel subject to judicial review, may impose or reimpose any applicable directives listed above; additionally, humane destruction of the dog may be ordered, but only where the further incident involves serious injury to a person.

Appendix 5

Suggested reading for professionals (numbers correspond to cited references)

Group	Reference numbers
Public officials and community leaders	4, 6, 8-9, 10, 12, 14-16, 18, 20, 27-28, 30, 32-47
Veterinarians	1, 4-10, 12, 14-16, 27-28, 30, 32, 35-36, 39, 41-73
Veterinary technicians	7, 12, 16, 28, 43-45, 47, 50-57, 59, 61, 63-64, 66-69, 74
Physicians and nurses	4-6, 8-10, 12, 14-15, 27-28, 30, 32, 35-36, 41, 43, 45-48, 60, 70-71, 73, 75-76
Humane society/animal shelter/ rescue personnel	4-6, 10, 12, 14-15, 27-28, 30, 35-36, 41-43, 51-55, 61, 66, 69, 71

Special Report

Breeds of dogs involved in fatal human attacks in the United States between 1979 and 1998

Jeffrey J. Sacks, MD, MPH, Leslie Sinclair, DVM, Julia Gilchrist, MD

Objective—To summarize breeds of dogs involved in fatal human attacks during a 20-year period and to assess policy implications.

Animals—Dogs for which breed was reported involved in attacks on humans between 1979 and 1998 that resulted in human dog bite-related fatalities (DBRF).

Procedure—Data for human DBRF identified previously for the period of 1979 through 1996 were combined with human DBRF newly identified for 1997 and 1998. Human DBRF were identified by searching news accounts and by use of The Humane Society of the United States' registry databank.

Results—During 1997 and 1998, at least 27 people died of dog bite attacks (18 in 1997 and 9 in 1998). At least 25 breeds of dogs have been involved in 238 human DBRF during the past 20 years. Pit bull-type dogs and Rottweilers were involved in more than half of these deaths. Of 227 reports with relevant data, 55 (24%) human deaths involved unrestrained dogs off their owners' property, 133 (58%) involved unrestrained dogs on their owners' property, 38 (17%) involved restrained dogs on their owners' property, and 1 (< 1%) involved a restrained dog off its owner's property.

Conclusions—Although fatal attacks on humans appear to be a breed-specific problem (pit bull-type dogs and Rottweilers), other breeds may bite and cause fatalities at higher rates. Because of difficulties inherent in determining a dog's breed with certainty, enforcement of breed-specific ordinances raises constitutional and practical issues. Fatal attacks represent a small proportion of dog bite injuries to humans and, therefore, should not be the primary factor driving public policy concerning dangerous dogs. Many practical alternatives to breed-specific ordinances exist and hold promise for prevention of dog bites. (*J Am Vet Med Assoc* 2000;217:836–840)

From 1979 through 1996, dog attacks resulted in more than 300 human dog bite-related fatalities

(DBRF) in the United States.¹⁻³ Most victims were children. Studies indicate that pit bull-type dogs were involved in approximately a third of human DBRF reported during the 12-year period from 1981 through 1992, and Rottweilers were responsible for about half of human DBRF reported during the 4 years from 1993 through 1996. These data have caused some individuals to infer that certain breeds of dogs are more likely to bite than others and should, therefore, be banned or regulated more stringently.^{4,5} The purposes of the study reported here were to summarize breeds associated with reported human DBRF during a 20-year period and assess policy implications.

Procedure

We collected data from The Humane Society of the United States (HSUS) and media accounts related to dog bite attacks and fatalities, using methods from previous studies.¹⁻³ The HSUS maintains a registry of human DBRF, including date of death, age and sex of decedent, city and state of attack, number and breeds of dogs involved, and circumstances relating to the attack. To supplement HSUS reports, as in the past, a database⁶ was searched for accounts of human DBRF that occurred in 1997 and 1998. Our search strategy involved scanning the text of newspapers and periodicals for certain words and word combinations likely to represent human DBRF followed by a review of articles containing those terms. Data obtained from HSUS and news accounts were merged to maximize detection of human DBRF and avoid duplicate reports. One new human DBRF from 1996 was identified in the 1997 and 1998 reports and was added to the existing data for 1996.

A human DBRF was defined as a human death caused by trauma from a dog bite. In addition to excluding 9 human deaths, as described in previous reports (eg, dying of rabies from a dog bite, strangling on a leash or scarf pulled by a dog, dying from fire ant

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bites after being pushed on a mound by a dog, or dying from a motor vehicle or bicycle crash while being chased by a dog), for 1997 and 1998, we excluded 3 additional deaths: death resulting from infection secondary to a dog bite, death attributable to trauma from being knocked over but not bitten, and death resulting from myocardial infarction, which was caused by an individual being chased but not bitten. For the 20-year study, we excluded 4 human deaths from attacks by guard or police dogs "at work" and approximately 90 deaths when breed information for the attacking dog was unavailable; thus, this study included approximately 72% of cases of human DBRF and is not exhaustive.

We tallied data in 2 ways to provide alternatives for breed data interpretation. First, we used a human death-based approach in which we counted whether a particular breed was involved in a death. When multiple dogs of the same breed were involved in the same fatal episode, that breed was counted only once (eg, if 10 Akitas attacked and killed a person, that breed was counted once rather than 10 times). When crossbred dogs were involved in a fatality, each suspected breed in the dog's lineage was counted once for that episode. Second, we tallied data by dog. When multiple dogs of the same breed were involved in a single incident, each dog was counted individually. We allocated crossbred dogs into separate breeds and counted them similarly (eg, if 3 Great Dane-Rottweiler crossbreeds attacked a person, Great Dane was counted 3 times under crossbred, and Rottweiler was counted 3 times under crossbred). Data are presented separately for dogs identified as pure- and crossbred. Lastly, dogs were classified as to whether they were on or off the owners' property and restrained (eg, chained or leashed) or unrestrained at the time of the attack.

Results

Fatalities during 1997 and 1998—During 1997 and 1998, at least 27 people died as the result of dog bite attacks (18 people in 1997 and 9 in 1998). Of 27 human DBRF, 19 (70%) were children (1 was ≤ 30 days old, 3 were between 7 and 11 months old, 9 were between 1 and 4 years old, and 6 were between 5 and 11 years old), and 8 were adults (ages 17, 44, 64, 70, 73, 75, 75, and 87). Approximately half ($n = 15$ [56%]) of the human DBRF were male.

Five (19%) deaths involved unrestrained dogs off the owners' property, 18 (67%) involved unrestrained dogs on the owners' property, 3 (11%) involved restrained dogs on the owners' property, and 1 (4%) involved a restrained dog off the owner's property. Eighteen (67%) deaths involved 1 dog, 5 (19%) involved 2 dogs, and 4 (15%) involved 3 dogs. Sixty percent of attacks by unrestrained dogs off the owners' property involved more than 1 dog.

Fatal attacks were reported from 17 states (California [4 deaths]; Georgia and North Carolina [3 each]; Kansas, Texas, and Wisconsin [2 each]; and Alaska, Arkansas, Colorado, Florida, Kentucky, Massachusetts, Michigan, Missouri, New York, South Dakota, and Tennessee [1 each]).

Some breed information was reported for all 27 attacks. As in recent years, Rottweilers were the most commonly reported breed involved in fatal attacks, followed by pit bull-type dogs (Table 1). Together, these 2 breeds were involved in approximately 60% of human deaths.

Twenty-year data—Some breed information was available for 238 human DBRF. More than 25 breeds of dogs were involved in DBRF during the past 20 years (Table 2). Of 227 human DBRF for which data were

Table 1—Breeds of dogs involved in human dog bite-related fatalities (DBRF) in the United States, by 2-year period, between 1979 and 1998. Death-based approach of counting most frequent purebreds and crossbreds involved in 7 or more human DBRF

Breed	1979– 1980	1981– 1982	1983– 1984	1985– 1986	1987– 1988	1989– 1990	1991– 1992	1993– 1994	1995– 1996	1997– 1998	Total
Purebred											
Pit bull-type	2	5	10	9	11*	8	6	5	4*	6	66
Rottweiler	0	0	1	1	3	1	3	10	10	10	39
German Shepherd Dog	2	1	4*	1	1	4*	2	0	2	0	17
Husky-type	2	1	2	2	0	2	2	1	2	1	15
Malamute	2	0	3	1	0	2	3	1	0	0	12
Doberman Pinscher	0	1	0	2	2	2	1	0	0	1	9
Chow Chow	0	1	0	0	0	2	3	0	2	0	8
Great Dane	3	1	0	0	0	0	0	1	1	1	7
Saint Bernard	1	2	1	0	0	0	0	0	0	3	7
Crossbred											
Wolf-dog hybrid	0	1	1	2	1	4	1	2	2	0	14
Mixed-breed	0	3	1	2	1	2	0	1	1	1	12
German Shepherd Dog	0	2	0	2	2	2†	0	1	2	0	10†
Pit bull-type	0	1	0	3	2†	3	1	1	0	0	10†
Husky-type	0	1	1	2	1	1	0	0	0	0	6
Rottweiler	0	0	0	0	1†	1	0	1	1	2	5†
Alaskan Malamute	0	0	0	0	0	2	1	0	0	0	3
Chow Chow	0	0	0	0	0	1	0	1	1	0	3
Doberman Pinscher	0	0	0	0	1	0	0	0	0	1	0
Saint Bernard	0	0	0	0	0	0	1	0	0	0	1
Great Dane	0	0	0	0	0	0	0	0	0	1†	0†
No. deaths for which breed was known	10	20	26*	24	22	34*	24	25	26*	27	238

*Numbers differ from previous reports because police/guard dogs "at work" were excluded, and 1 new DBRF was identified as occurring in 1996. †A purebred dog and a crossbred dog of this breed were involved in a single fatality; therefore, that breed is counted only once in the total column.

Table 2—Breeds of dogs involved in human dog bite-related fatalities between 1979 and 1998, using death-based and dog-based approaches

Breed	Death-based approach			Dog-based approach		
	Purebred	Crossbred	Total	Purebred	Crossbred	Total
Pit bull-type	66	11*	76*	98	20	118
Rottweiler	39	6*	44*	60	7	67
German Shepherd Dog	17	11*	27*	24	17	41
Husky-type (includes at least 2 Siberian)	15	6	21	15	6	21
Malamute	12	3	15	13	3	16
Wolf-dog hybrid	0	14	14	0	15	15
Mixed-breed (NOS)	0	12	12	0	47	47
Chow Chow	8	3	11	8	13	21
Doberman	9	1	10	12	1	13
Saint Bernard	7	1	8	7	1	8
Great Dane	7	1*	7*	11	2	13
Labrador Retriever	1	4	5	1	7	8
Akita	4	0	4	4	0	4
Sled-type (NOS)	3	0	3	12	0	12
Bulldog	2	1	3	2	1	3
Mastiff	2	1	3	4	1	5
Boxer	2	1	3	4	1	5
Collie	0	3	3	0	6	6
Bullmastiff	1	1	2	1	1	2
Hound-type (NOS)	1	1	2	1	1	2
Retriever-type (NOS)	1	0	1	1	0	1
Chesapeake Bay Retriever	1	0	1	1	0	1
West Highland Terrier (NOS)	1	0	1	1	0	1
Terrier-type (NOS)	1	0	1	1	0	1
Japanese Hunting Dog (NOS)	1	0	1	1	0	1
Newfoundland	1	0	1	1	0	1
Coonhound	1	0	1	1	0	1
Sheepdog (NOS)	1	0	1	1	0	1
Australian Shepherd	0	1	1	0	3	3
Rhodesian Ridgeback	1	0	1	1	0	1
Cocker Spaniel	1	0	1	1	0	1

*A purebred dog and a crossbred dog of this breed were involved in a single fatality; therefore, that breed is counted only once in the total column.
NOS = Not otherwise specified.

available, 55 (24%) deaths involved unrestrained dogs off the owners' property, 133 (58%) involved unrestrained dogs on the owners' property, 38 (17%) involved restrained dogs on the owners' property, and 1 (< 1%) involved a restrained dog off the owner's property.

Four hundred three dogs were responsible for these attacks. There were almost twice as many dogs involved in off-owner-property attacks, compared with attacks occurring on the owners' properties. In 160 human deaths, only 1 dog was involved; in 49 deaths, 2 dogs were involved; and in 15 deaths, 3 dogs were involved. Four and 7 dogs were involved in 3 deaths each; 5, 6, and 10 dogs were involved in 2 deaths each; and 11 and 14 dogs were responsible for 1 death each.

Discussion

Ideally, breed-specific bite rates would be calculated to compare breeds and quantify the relative dangerousness of each breed. For example, 10 fatal attacks by Breed X relative to a population of 10,000 X's (1/1,000) implies a greater risk than 100 attacks by Breed Y relative to a population of 1,000,000 Y's (0.1/1,000). Without consideration of the population sizes, Breed Y would be perceived to be the more dangerous breed on the basis of the number of fatalities.

Considering only bites that resulted in fatalities, because they are more easily ascertained than nonfatal bites, the numerator of a dog breed-specific human DBRF rate requires a complete accounting of human

DBRF as well as an accurate determination of the breeds involved. Numerator data may be biased for 4 reasons. First, the human DBRF reported here are likely underestimated; prior work suggests the approach we used identifies only 74% of actual cases.^{1,2} Second, to the extent that attacks by 1 breed are more newsworthy than those by other breeds, our methods may have resulted in differential ascertainment of fatalities by breed. Third, because identification of a dog's breed may be subjective (even experts may disagree on the breed of a particular dog), DBRF may be differentially ascribed to breeds with a reputation for aggression. Fourth, it is not clear how to count attacks by crossbred dogs. Ignoring these data underestimates breed involvement (29% of attacking dogs were crossbred dogs), whereas including them permits a single dog to be counted more than once. Therefore, we have elected to present data separately for purebred and crossbred dogs to demonstrate at least 2 alternative counting methods. Relative rankings do not differ greatly whether one focuses only on purebred dogs or includes crossbred dogs. The crossbreed issue is also problematic when estimating denominators (ie, breed-specific population sizes).

The denominator of a dog breed-specific human DBRF rate requires reliable breed-specific population data. Unfortunately, such data are not currently available. Considering American Kennel Club registration data⁷ for Rottweilers in parallel with fatality data for that breed indicates that as the breed has soared in pop-

ularity, so have Rottweiler-related deaths (24,195 registrations from 1979 through 1982 and 0 deaths; 272,273 registrations from 1983 through 1990 and 6 deaths; and 692,799 registrations from 1991 through 1998 and 33 deaths). However, official registration or licensing data are likely to be biased, as owners of certain dog breeds may be less likely than those owning other breeds to register or license their dogs⁴ and, thus, should not be used to calculate these rates. Finally, it is imperative to keep in mind that even if breed-specific bite rates could be accurately calculated, they do not factor in owner-related issues. For example, less responsible owners or owners who want to foster aggression in their dogs may be drawn differentially to certain breeds.

Despite these limitations and concerns, the data indicate that Rottweilers and pit bull-type dogs accounted for 67% of human DBRF in the United States between 1997 and 1998. It is extremely unlikely that they accounted for anywhere near 60% of dogs in the United States during that same period and, thus, there appears to be a breed-specific problem with fatalities.

Although the fatality data are concerning, one must broaden the context to consider both fatal and nonfatal bites when deciding on a course of action. Nonfatal dog bites continue to be a public health problem in the United States. Although this and prior reports⁴⁻³ document more than 330 DBRF during a 20-year period, these tragedies represent only the most severe manifestation of the problem. In 1986, nonfatal dog bites resulted in an estimated 585,000 injuries that required medical attention or restricted activity.⁸ By 1994, an estimated 4.7 million people (1.8% of the US population) sustained a dog bite; of these, approximately 800,000 (0.3% of the US population) sought medical care for the bite (332,000 in emergency departments), and 6,000 were hospitalized.⁹⁻¹¹ This 36% increase in medically attended bites from 1986 to 1994 draws attention to the need for an effective response, including dog bite prevention programs. Because (1) fatal bites constitute less than 0.00001% of all dog bites annually, (2) fatal bites have remained relatively constant over time, whereas nonfatal bites have been increasing, and (3) fatal bites are rare at the usual political level where bite regulations are promulgated and enforced, we believe that fatal bites should not be the primary factor driving public policy regarding dog bite prevention.

Several interacting factors affect a dog's propensity to bite, including heredity, sex, early experience, socialization and training, health (medical and behavioral), reproductive status, quality of ownership and supervision, and victim behavior. For example, a study in Denver of medically-attended dog bites in 1991 suggested that male dogs are 6.2 times more likely to bite than female dogs, sexually intact dogs are 2.6 times more likely to bite than neutered dogs, and chained dogs are 2.8 times more likely to bite than unchained dogs.¹² Communities have tried to address the dog bite problem by focusing on different factors related to biting behavior.

To decrease the risk of dog bites, several communities have enacted breed-specific restrictions or bans. In general, these have focused on pit bull-type dogs and Rottweilers. However, breeds responsible for human

DBRF have varied over time. Pinckney and Kennedy¹³ studied human DBRF from May 1975 through April 1980 and listed the following breeds as responsible for the indicated number of deaths: German Shepherd Dog (n = 16); Husky-type dog (9); Saint Bernard (8); Bull Terrier (6); Great Dane (6); Malamute (5); Golden Retriever (3); Boxer (2); Dachshund (2); Doberman Pinscher (2); Collie (2); Rottweiler (1); Basenji (1); Chow Chow (1); Labrador Retriever (1); Yorkshire Terrier (1); and mixed and unknown breed (15). As ascertained from our data, between 1979 and 1980, Great Danes caused the most reported human DBRF; between 1997 and 1998, Rottweilers and pit bull-type dogs were responsible for about 60% of human DBRF. Indeed, since 1975, dogs belonging to more than 30 breeds have been responsible for fatal attacks on people, including Dachshunds, a Yorkshire Terrier, and a Labrador Retriever.

In addition to issues surrounding which breeds to regulate, breed-specific ordinances raise several practical issues. For optimal enforcement, there would need to be an objective method of determining the breed of a particular dog. Pedigree analysis (a potentially time-consuming and complicated effort) combined with DNA testing (also time-consuming and expensive) is the closest to an objective standard for conclusively identifying a dog's breed. Owners of mixed-breed or unregistered (ie, by a kennel club) dogs have no way of knowing whether their dog is one of the types identified and whether they are required to comply with breed-specific ordinances. Thus, law enforcement personnel have few means for positively determining a dog's breed and deciding whether owners are in compliance or violation of laws.

Some municipalities have attempted to address this classification issue of unregistered and mixed-breed dogs by including within their ordinances a description of the breed at which the ordinance is directed. Unfortunately, such descriptions are usually vague, rely on subjective visual observation, and result in many more dogs than those of the specified breed being subject to the restrictions of the ordinance.

When a specific breed of dog has been selected for stringent control, 2 constitutional questions concerning dog owners' fourteenth amendment rights have been raised: first, because all types of dogs may inflict injury to people and property, ordinances addressing only 1 breed of dog are argued to be underinclusive and, therefore, violate owners' equal protection rights; and second, because identification of a dog's breed with the certainty necessary to impose sanctions on the dog's owner is prohibitively difficult, such ordinances have been argued as unconstitutionally vague, and, therefore, violate due process. Despite such concerns, a number of breed-specific ordinances have been upheld by the courts.¹⁴⁻¹⁶

Another concern is that a ban on a specific breed might cause people who want a dangerous dog to simply turn to another breed for the same qualities they sought in the original dog (eg, large size, aggression easily fostered). Breed-specific legislation does not address the fact that a dog of any breed can become dangerous when bred or trained to be aggressive. From a scientific point of view, we are unaware of any formal

evaluation of the effectiveness of breed-specific legislation in preventing fatal or nonfatal dog bites.

An alternative to breed-specific legislation is to regulate individual dogs and owners on the basis of their behavior. Although, it is not systematically reported, our reading of the fatal bite reports indicates that problem behaviors (of dogs and owners) have preceded attacks in a great many cases and should be sufficient evidence for preemptive action. Approaches to decreasing dangerous dog and owner behaviors are numerous. The potential importance of strong animal control programs is illustrated by our data; from 1979 through 1998, 24% of human DBRF were caused by owned dogs (typically more than 1) that were roaming off the owners' property. Some deaths might have been averted through more stringent animal control laws and enforcement (eg, leash laws, fencing requirements). Although the bite prevention effectiveness of such animal control ordinances and programs has not been systematically evaluated, free-roaming dogs and dogs with menacing behavior are problems that need to be addressed even if they do not bite (eg, causing bicycle or car crashes).

Generic non-breed-specific, dangerous dog laws can be enacted that place primary responsibility for a dog's behavior on the owner, regardless of the dog's breed.¹⁷ In particular, targeting chronically irresponsible dog owners may be effective.¹⁸ If dog owners are required to assume legal liability for the behavior and actions of their pets, they may be encouraged to seek professional help in training and socializing their pets. Other options include enforcing leash laws and laws against dog fighting. We noticed in the fatal cases, that less than one half of 1% of DBRF were caused by leashed animals off the owners' property. Subdivisions and municipalities that outlaw fences or limit fences to heights insufficient for controlling large dogs may be increasing the probability of children interacting with unsupervised dogs. Scientific evaluations of the effects of such regulations are important.

Education of dog owners can address several issues: (1) understanding breed profiles^{19,20} may assist owners in selecting the appropriate dog for their lifestyle and training abilities, (2) convincing owners to seriously consider the sex and reproductive status of their dogs is important because male and sexually intact dogs are more likely to bite than are female and neutered dogs,¹² and (3) teaching owners about the importance of socialization and training may decrease their likelihood of owning a dog that will eventually bite.

Veterinarians play a key role in educating pet owners, but because many dogs that bite may not be seen by a veterinarian prior to the bite incident, programs that encourage responsible ownership must also be presented through other venues. Public education strategies should include school-based and adult educational programs addressing bite prevention and basic canine behavior, care, and management. Programs should strive to ensure that dogs receive proper socialization, exercise, and attention; that they are given adequate food, water, shelter, and veterinary care; that they are neutered if they are not maintained for legitimate and responsible breeding purposes; and that they are trained humanely and confined safely. However,

like breed-specific legislation, all these approaches appear formally unevaluated for effectiveness.

Targeting and evaluation of prevention efforts requires improved surveillance for fatal and nonfatal dog bites. Dog bites should be reported as required by local or state ordinances, and reports of such incidents should include information about the circumstances of the bite, ownership, breed, sex, reproductive status of the dog, history of prior aggression, and the nature of restraint prior to the bite incident. Collection of data on the entire dog population (eg, breed, age, sex) would help resolve comparative risk issues and may be accomplished by combining paperwork on mandatory rabies immunizations with registration of breed and sex. Only with numerator and denominator data and with formal evaluations of the impacts of strategies tried by various communities will we be able to make science-based recommendations for decreasing the number of dog bites. In the interim, adequate funding for animal control agencies, enforcement of existing animal control laws, and educational and policy strategies to reduce inappropriate dog and owner behaviors will likely result in benefits to communities and may well decrease the number of dog bites that occur.

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OFFICIAL THE WHITE HOUSE RESPONSE TO

Ban and outlaw Breed Specific Legislation (BSL) in the United States of America on a Federal level!

This response was published on August 12, 2013.

Breed-Specific Legislation Is a Bad Idea

Thanks for your petition.

We don't support breed-specific legislation -- research shows that bans on certain types of dogs are largely ineffective and often a waste of public resources.

In 2000, the Centers for Disease Control and Prevention looked at twenty years of data about dog bites and human fatalities in the United States. They found that fatal attacks represent a very small proportion of dog bite injuries to people and that it's virtually impossible to calculate bite rates for specific breeds.

The CDC also noted that the types of people who look to exploit dogs aren't deterred by breed regulations -- when their communities establish a ban, these people just seek out new, unregulated breeds. And the simple fact is that dogs of any breed can become dangerous when they're intentionally or unintentionally raised to be aggressive.

For all those reasons, the CDC officially recommends against breed-specific legislation -- which they call inappropriate. [You can read more from them here.](#)

As an alternative to breed-specific policies, the CDC recommends a community-based approach to prevent dog bites. And ultimately, we think that's a much more promising way to build stronger communities of pets and pet owners.

[Tell us what you think about this response and We the People.](#)

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Ban and outlaw Breed Specific Legislation (BSL) in the United States of America on a Federal level!

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Dealing with Reckless Owners and Dangerous Dogs in Your Community

Dogs permitted by their owners to run loose, and dogs who attack people or other animals, are real and often serious problems in communities across the country—but how to best address dangerous and potentially dangerous dogs can be a confusing and touchy issue.



"Breed-specific" legislation (BSL) is the blanket term for laws that either regulate or ban certain breeds completely in the hopes of reducing dog attacks. Some city/municipal governments have enacted breed-specific laws. However, the problem of dangerous dogs will not be remedied by the "quick fix" of breed-specific laws—or, as they should truly be called, breed-discriminatory laws.

It is worth noting that in some areas, regulated breeds include not just American Pit Bull terriers, American Staffordshire Terriers, Staffordshire Bull Terriers, English Bull Terriers and Rottweilers, but also a variety of other dogs, including American Bulldogs, Mastiffs, Dalmatians, Chow Chows, German Shepherds, Doberman Pinschers, or any mix of these breeds—and dogs who simply resemble these breeds.

On the bright side, many states (including New York, Texas and Illinois) favor laws that identify, track and regulate dangerous dogs individually, regardless of breed, and prohibit BSL.

Are Breed-Specific Laws Effective?

There is no evidence that breed-specific laws—which are costly and difficult to enforce—make communities safer for people or companion animals. For example, Prince George's County, MD, spends more than \$250,000 annually to enforce its ban on Pit Bulls. In 2003, a study conducted by the county on the ban's effectiveness noted that "public safety is not improved as a result of [the ban]," and that "there is no transgression committed by owner or animal that is not covered by another, non-breed specific portion of the Animal Control Code (i.e., vicious animal, nuisance animal, leash laws)."

Following a thorough study of human fatalities resulting from dog bites, the United States Centers for Disease Control (CDC) decided not to support BSL. The CDC cited, among other problems, the inaccuracy of dog bite data and the difficulty in identifying dog breeds (especially true of mixed-breed dogs). The CDC also noted the likelihood that as certain breeds are regulated, those who exploit dogs by making them aggressive will replace them with other, unregulated breeds.

What's Wrong with Breed-Specific Laws?

BSL carries a host of negative and wholly unintended consequences:

- Dogs go into hiding**
 Rather than give up their beloved pets, owners of highly regulated or banned breeds often attempt to avoid detection of their "outlaw" dogs by restricting outdoor exercise and socialization and forgoing licensing, microchipping and proper veterinary care, including spay/neuter surgery and essential vaccinations. Such actions have implications both for public safety and the health of these dogs.
- Good owners and dogs are punished**
 BSL also causes hardship to responsible owners of entirely friendly, properly supervised and well-socialized dogs who happen to fall within the regulated breed. Although these dog owners have done nothing to endanger the public, they are required to comply with local breed bans and regulations unless they are able to mount successful (and often costly) legal challenges.
- They impart a false sense of security**
 Breed-specific laws have a tendency to compromise rather than enhance public safety. When limited animal control resources are used to regulate or ban a certain breed of dog, without regard to behavior, the focus is shifted away from routine, effective enforcement of laws that have the best chance of making our communities safer: dog license laws, leash laws, animal fighting laws, anti-tethering laws, laws facilitating spaying and neutering and laws that require all owners to control their dogs, regardless of breed.
- They may actually encourage ownership by irresponsible people**
 If you outlaw a breed, then outlaws are attracted to that breed. Unfortunately some people take advantage of the "outlaw" status of their breed of choice to bolster their own self image as living outside of the rules of mainstream society. Ironically, the rise of Pit Bull ownership among gang members and others in the late 1980's coincided with the first round of breed-specific legislation.

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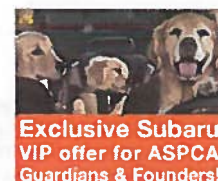
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What's the Alternative to Breed-Specific Laws?

In the aforementioned study, the CDC noted that many other factors beyond breed may affect a dog's tendency toward aggression—things such as heredity, sex, early experience, reproductive status, socialization and training. These last two concerns are well-founded, given that:

- More than 70 percent of all dog bite cases involve unneutered male dogs.
- An unneutered male dog is 2.6 times more likely to bite than is a neutered dog.
- A chained or tethered dog is 2.8 times more likely to bite than a dog who is not chained or tethered.
- 97 percent of dogs involved in fatal dog attacks in 2006 were not spayed/neutered:
- 78 percent were maintained not as pets, but rather for guarding, image enhancement, fighting or breeding.
- 84 percent were maintained by reckless owners—these dogs were abused or neglected, not humanely controlled or contained, or allowed to interact with children unsupervised.

Recognizing that the problem of dangerous dogs requires serious attention, the ASPCA seeks effective enforcement of **breed-neutral laws** that hold dog owners accountable for the actions of their animals.

For help in drafting animal control laws, contact the ASPCA's Government Relations department at lobby@aspca.org (<mailto:lobby@aspca.org>).

Related Links

Ways to Help End Dog Fighting (<https://www.aspc.org/fight-cruelty/dog-fighting/ten-ways-help-end-dog-fighting>)

Despite the widespread illegality of dog fighting, people still train pit bulls to participate in dog fights in communities around the country. Find out how you can help stop this cruel sport.

Pit Bull Cruelty Facts and FAQs (<https://www.aspc.org/fight-cruelty/dog-fighting/pit-bull-cruelty>)

Read facts and answers to commonly asked questions about the cruel sport of dog fighting, including those related to its historical roots, its consequences for dogs forced to compete, and what the ASPCA is doing to stop this inhumane practice.

The Truth About Pit Bulls (<https://www.aspc.org/adopt/truth-about-pit-bulls>)

The term "pit bull" is often misunderstood, because it does not apply to just one breed of dog. Learn more about common misconceptions of pit bulls.



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