

City Council of Peachtree City

WORKSHOP

April 12, 2010

6:30 p.m.

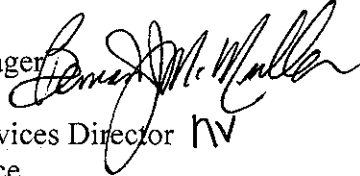
The Mayor and City Council of Peachtree City will hold a workshop on Monday, April 12, 2010, 6:30 p.m., in Council Chambers. The purpose of the workshop is to discuss proposed amendments to the Animal Control ordinance. Following the first workshop, the City Council will hold a joint workshop with the Planning Commission on telecommunications towers.

This agenda is subject to change at any time up to 24-hours prior to the scheduled meeting

CITY OF PEACHTREE CITY

INTEROFFICE MEMORANDUM

TO: Mayor and Council

VIA: Bernard J. McMullen, City Manager 

FROM: Nikki Vrana, Administrative Services Director
H.C. "Skip" Clark, Chief of Police *NV*

DATE: April 9, 2010

SUBJECT: Domestic Animal Control Ordinance
City Council Workshop – April 12, 2010

Recommendation:

Staff's recommendation is to make no changes to the existing City's Domestic Animal Control Ordinance, Article II, Section 14-31:42.

Discussion:

As a result of a resident's request for Council to consider implementing a ban on the breed of pit bull dogs in the City limits of Peachtree City, City Council directed Staff to work the County Animal Control Office and recommend mechanisms to address any potential concerns with "vicious" or "dangerous" dogs, enforcement problems with the voice command option in the City's leash law, and regulations on unattended tethering of dogs, but *not* to address any regulations on specific breed banning.

After reviewing statistical information from calendar year 2009 complaints for Peachtree City and discussions with Fayette County Animal Control Director Fred Sissons, our ordinance in its current version will allow for appropriate reactive enforcement to take place within the City limits of Peachtree City by the County Animal Control Officers and the Peachtree City Police Department Officers. Our current ordinance addresses and defines "running at large", an owner's "duty to keep animal under restraint – while on / off property", and outlines the progressive enforcement including fines and penalties for violations of the ordinance.

Peachtree City Animal Control Ordinance

April 12, 2010, Workshop

Citizen Request

- On November 5, a resident who had been attacked by a pit bull asked Council to consider a ban on the breed or additional legislation specific to the breed

Citizen Request

- Council directed staff to bring back more information on the issue in 90 days
 - Whether legal
 - Whether effective
 - Local statistics
 - Other information
- Discussed again on January 21

Staff Findings – January 21

- Breed Specific Legislation is not effective
 - “Bad” owners switch breeds, causing different “bad” breeds
- Dogs go into hiding – people keep the banned breed but do not properly care for it
- Good owners and dogs are punished – creates a hardship on what to do with the banned dog
- False sense of security – focus on the banned breed versus overall leash laws, spay & neuter laws, etc.

Staff recommendations

on January 21

- No Breed Specific Legislation
- Better mechanisms to address any problems:
 - Work with County to enhance "Vicious" or "Dangerous Dog" process, ordinance
 - Eliminate "Voice Command" option from leash law
 - Regulate unattended tethering of dogs
- Council supported staff's recommendations

Peachtree City 2009 Stats

- 40 dog complaints total in 2009
 - 7 Dog bites human
 - 2 cases of unattended dogs leaving yards
 - 4 dog bites in home or own yard
 - 1 dog at vet snapping at another patron
 - 1 dog running loose
 - 5 incidents occurred on the paths
 - 0 involved a dog biting a human
 - 3 involved at-large dogs menacing/biting dogs with owner
 - 2 involved dogs with both owners present
 - 1 of these involved a leashed dog that pulled free
- Of the 40 complaints, proposed changes in the law (voice command or tethering) could possibly have addressed 7 complaints, but 0 bites

Current Ordinance:

- Prohibits allowing dogs from running at large unattended
- Requires restraint or control to keep the dog from leaving its owner's property
- Requires restraint or control when the dog is off the owner's property
- Identifies vicious dogs, requires them to be secured on the owner's property, and leashed and muzzled when off property

Revised Staff Recommendation

- No change to existing ordinance
- Based on
 - The limited number of total dog complaints to the Police Department 2009 (40 complaints, seven dog bites)
 - The much smaller percentage of these incidents that might have been prevented by the changes under consideration
 - Lack of staffing to proactively enforce the more proactive ordinance

Clarification

- County Animal Control Office would *prefer* uniform ordinance, but *can* enforce ours with "voice command" —
- Respond to neighborhood calls (running at large) versus paths, and do not patrol the paths.