

Charter and Ordinance Committee Meeting Tuesday, July 26, 5:30 PM

Chaired by Melinda Humphrey, committee members in attendance; Dave Allaire, Ed Larson

Others in attendance; Vanessa Robertson, William Notte, Sean Sargent, Attorney Romeo

Agenda; review of Rutland City Vicious Dog Ordinance

This issue was sent to committee at a May Board meeting at the suggestion of Alderwoman Robertson due to concern over the definition in our current ordinance of the term “vicious” and the lack of ability for the Animal Control Board to use judgment in the determination of labeling a dog as such. Robertson noted a desire to bring the City ordinance definition of “vicious dog” more in line with Vermont State Statute, Title 20 chapter 193 (portions attached).

Attorney Romeo provided an amended Rutland City Ordinance for committee review which included language from the Vermont State Statute referencing provocation and location. The committee decided to keep the qualification that “the attack or bite occurred without provocation”, though after discussion, the committee decided to remove the qualification that the “dog be off the premises of the owner or keeper”. All criteria listed under the definition of “vicious dog” must be met in order for the dog to be considered such.

Attorney Romeo also added language further explaining quorum and alternates for the Animal Control Board in Section 2552 “Definitions”. Lastly, he added clarifying language in Section 2557 “Animal Control Hearings”, as well as a statement declaring compliance related expenses being the owner’s responsibility.

Additional discussion included incidences occurring outside of Rutland which involve Rutland registered dogs. Preliminary advice from VLCT suggests that incidents should be reviewed in the municipality where the dog is registered. Committee members decided not to pursue additional language changes regarding registration at this time.

Alderman Larson provided the committee with copies of the Burlington dog ordinance as well as a listing of the definition of vicious animals in all fifty states, which can be found at <http://www.landlord.com/dangerous-animals-by-state.htm> .

Alderman Allaire moved to recommend to the full Board of Aldermen to approve changes to Rutland City Ordinance Title 13 Chapter 1, as highlighted in the attached draft. Motion passed 3-0.

Two attachments follow

1. Amended Rutland City Title 13; Chapter 1
2. Copy of Vermont Statute Title 20; Chapter 193; Subchapter 001; Statute 3546