



**Public Safety Committee  
February 26, 2015  
MINUTES**

**Present:** Aldermen Adams, Leszczynski and Pukaite; Police Chief Graff, City Attorney Sajdak, Executive Assistant Kowalchuk, press and interested public

**Other Attendees:** Residents Jason Leonard, Lynn Coverse-Bunterbach

The meeting was called to order at 6:30 p.m.

**1) Approve meeting minutes of January 27, 2015**

Moved by Alderman Leszczynski, seconded by Alderman Adams to approve the meeting minutes of January 27, 2015. The motion passed by voice acclamation.

**2) Dog Control – Ordinance Review**

Alderman Pukaite explained this ordinance review was at the request of resident Jason Leonard who had complained about a neighbor's dog running off leash and of another neighbor who fails to keep his dog from roaming the neighborhood. Alderman Pukaite added that she experienced a similar situation in her neighborhood, and mentioned an instance in this last year wherein a public employee was attacked by a dog in the course of conducting his job.

Discussion ensued resulting in the following comments/concerns:

Page 3 – item (b)1(c): language used should be more direct/understandable to the general public.

Pages 5-8: Section regarding provisions for owner of vicious dog contradicts Section 6-4(a). Should this section be targeted for aggressive dog(s) that have not been adjudicated vicious? The ordinance needs to lay out some expectations of owners of aggressive dogs, possibly taking into consideration the number of incidents.

Defining vicious is the important factor for this review.

Members liked responsibility on the owners, incorporate warnings taking into consideration different levels of severity surrounding the incident(s).

Mr. Leonard stated that he has experienced numerous incidents wherein the lack of a dog owner's knowledge about what their off leash dog(s) will do in the presence of another dog has caused him problems. He feels that the police only give warnings and that the lack of a leash law inhibits them from taking more severe action. Additional problems result in the fact that by the time the police are called and come out, it turns into a "he said/she said"

situation unless evidence is available. It was noted that Mr. Leonard's last call to the Police was December 2011; the dog owner did receive a citation.

Ms. Converse-Bunterbach, a neighbor of Mr. Leonard, added that she sees neighbors running/walking their dogs without a leash and she is concerned that a dog will get hit by a car. When she walks her dogs, she has learned to avoid certain streets because there are dogs that do come out of their yard. She is additionally concerned about her consequences in a situation where her dog is on leash reacting to an attacking dog.

The Committee Chair commented a citywide leash law would be difficult at best to enact and enforce. Mequon has diverse community types including farms, no local municipalities around Mequon have leash laws at this time, and push back would come from the entire community.

The basis of vicious comes into play, language needed to empower police with ability to cite owners in alignment with severity of proven incident(s); and if a once cited, determined vicious dog has additional incidents, the police can require the dog removed from the community.

City Attorney Sajdak offered the following suggestions:

Page 3 – Section 6-8(a): Beginning of sentence to read: “Except as otherwise may be permitted in Section 6-26....”

Page 4 - Section 6-8(2)(d): Beginning of this section to read: “As provided in Section 6-26(k)(3)....”

Page 7 – Section (k)(3) Add at the end of this section: “Nothing herein shall prevent a police or humane officer from taking such immediate action as may reasonably be necessary so as to protect life or property.”

Chief Graff asked committee members about their thoughts on the \$250 permit fee in the proposal as it is new and not currently in the city's fee schedule. In response, Alderman Adams stated that permits in the city historically are for staff monitoring costs, a user fee, not as a slap on the hand. City Attorney Sajdak stated the permit fee noted is a realistic inspection cost.

Staff was directed that this item come before them again for further review.

### **3) Adjourn**

Moved by Alderman Adams, seconded by Alderman Leszczynski to adjourn at 7:35 pm. The motion passed by voice acclamation.

Respectfully Submitted,  
*Diane Kowalchuk*  
*Executive Assistant*  
Committee Approved: 03/24/15