



SELECTBOARD

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Date: 22 July 2020

To: Selectboard, Town Manager, Chief of Police, Animal Control Officer

From: Seth Hopkins & Tim Guiles (subcommittee)

Subj: Animal Control Ordinance Recommendations

Considering suggestions made at the public hearing on 13 July 2020 and further review of Vermont statute, to aid the selectboard regarding the Town's animal control ordinance, WE RECOMMEND:

1 That the selectboard adopt the draft animal control ordinance as presented at the 13 July 2020 hearing/meeting. This draft is based on the VLCT model animal control ordinance for municipalities.

2 That the "flow chart" and the "farm size" infographics be attached to the animal control ordinance as Appendix A and Appendix B respectively.

3 That the board find no further action need be taken for Brandon's animal control officer to discharge the duties of a humane officer as set forth in Vermont law. Per VT Statute Title 13: Crimes and Criminal Procedure, Chapter 8: Humane and Proper Treatment of Animals, Subchapter 1: Cruelty To Animals § 351 (4): an "animal control officer appointed by the legislative body of a municipality" is designated a "humane officer". Also, in that same subchapter, § 354(b): "Any humane officer ... may enforce this chapter." The board appointed Margaret Kahrs as Brandon's animal control officer on 27 January 2020.

4 That the animal control officer pursue training for Vermont animal control officers and Vermont humane officers, enrolling in such courses as soon as they become available, the cost of such training and reasonable expenses to be borne by the Town upon submission of successful course completion to the town manager.

5 That the animal control officer be directed to work at all times in collaboration with the Brandon Police Department, to whom she will address all questions of application of law and process. Any animal complaints referred to the ACO by BPD, and those generated by the ACO will be documented using the Brandon Police Department record keeping system.

6 That the animal control officer be provided, as she has already partially been, the equipment required to enforce the Town's ordinance, such equipment to be pre-approved by the town manager and to be returned to the Town in serviceable condition at the conclusion of her tenure. This does not include equipment required to be a poundkeeper, for which service the Town works with the Rutland County Humane Society.

7 That the animal control officer be provided with physical copies of the following, and be required to attest to her responsibility for and understanding the contents thereof in a signed statement returned to the board: (a) the Brandon Animal Control Ordinance including its Appendices; (b) the complete text of Chapter 8 of Title 13 VSA: Humane & Proper Treatment of Animals; and (c) VLCT's Big Book of Woof.

8 That the animal control officer, town manager, chief of police, and any others designated by the board meet either in person or by electronic means to conduct an orientation to (a) Brandon's community value of compliance being our primary goal in all matters of municipal code/ordinance enforcement and (b) the level of responsiveness the selectboard desires of the animal control officer.

Respectfully submitted.

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