

**PUBLIC HEARING of the Town Council held Wednesday, September 12, 2007 at 7:05 P.M. in the Council Chamber, Town Building, Harrisville for and within the Town of Burrillville.**

**PRESENT: Council President Nancy F. Binns, Councilors Kevin M. Blais, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe**

**MEMBERS ABSENT: Councilors Margaret L. Dudley and Wallace F. Lees were excused.**

**Relative to considering and acting on the following proposed changes to the Revised General Ordinances of the Town of Burrillville:**

**The Town Council of the Town of Burrillville hereby ordains as follows:**

**The General Ordinances of the Town of Burrillville are hereby amended by adding the following to Chapter 4. entitled Animals:**

**§4-44. Dog waste.**

**(a) It shall be unlawful for any person to fail to promptly remove and dispose of, in a sanitary manner, feces left by a dog being handled by that person on property, public or private, other than the premises of the owner or handler of such dog.**

**(b) The provisions of this section shall not apply when the dog involved is a certified working dog trained to assist disabled individuals.**

**NOTE: The notice of hearing was advertised in the legal section of the Woonsocket Call on Friday, September 7, 2007.**

**1. Comments/Input/Recommendation from the Ordinance Subcommittee**

**Councilor Cynthia L. Roe said that a Councilor had proposed the ordinance during the Goals & Objectives meeting. The Ordinance Subcommittee had reviewed and recommended passage of the ordinance.**

**2. Comments/Input/Recommendations by the Administration (Town Solicitor, Town Manager, Administrative Staff): None**

**3. Proponents:**

**David Rossi asked whether there was a procedure in place to certify working dogs because there is no national certification process. Mr. Rossi suggested that the ordinance should be limited to the villages which have sidewalks. Mr. Rossi noted that the ordinance did not address horses.**

**Timothy F. Kane, Town Solicitor, addressed the matter of certification of working dogs, suggesting that it would not be difficult for a disabled individual to demonstrate the dog's purpose. Mr. Kane also suggested that the word "certified" could be removed from the proposed ordinance.**

**Councilor Kevin M. Blais suggested that he, being in an F-5 zone, he would have a much bigger problem with horse waste. He suggested that the Ordinance Subcommittee might incorporate that issue into the proposed ordinance.**

**Kerry L. Courtemanche, Deputy Animal Control Officer, addressed the Town Council in support of the proposed ordinance but recommended changes to facilitate enforcement. Ms. Courtemanche recommended that the ordinance require that people be required to carry the necessary materials for waste removal.**

**Kerry L. Courtemanche, Deputy Animal Control Officer, offered her opinion that horse manure is considered to be fertilizer; dog waste, due to the commercial, processed foods dogs consume, is not considered fertilizer.**

**4. Opponents: None**

**5. VOTED to close the public hearing.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor John M. Karmozyn, Jr. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kevin M. Blais, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe. Councilors Wallace F. Lees and Margaret L. Dudley were excused.**

## **6. Town Council Members Comments/Input/Deliberation**

**Councilor Norman C. Mainville suggested that such ordinances should not be necessary and that there are more important issues to address. Councilor Mainville acknowledged the problem, particularly in Town parks.**

**Councilor John M. Karmozyn, Jr. supported the proposal.**

**Councilor Kevin M. Blais reviewed his concerns about the burden to homeowners who must clean up the horses. Councilor Blais understood that there would be a legal prohibition against including cats in the ordinance, but suggested that horses could be a legitimate concern.**

**Councilor Nancy F. Binns suggested that the original intent was to address a problem in the parks and village areas, where there is public passage.**

**Councilor Kevin M. Blais made a motion to adopt the ordinance with the modification of changing it from “dog waste” to “animal waste”, removing “dog” as a specific, and changing the reference of “dog” to “animal” and also remove the word “certified”. There was no second.**

**7. Consider and take action on amendments to the Revised General Ordinances of The Town of Burrillville 2004, Chapter 4. entitled Animals by adding §4-44. Dog waste.**

**VOTED to send it back to the Ordinance Subcommittee to check the language and see about any other additions they may want to consider.**

**Motion by Councilor Norman C. Mainville. Seconded by Councilor Kevin M. Blais.**

**Discussion: Councilor Mainville noted concerns relative adopting an ordinance with comprehensive changes to the proposal that was advertised.**

**The motion carried, four in favor, one opposed, two excused. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kevin M. Blais, John M. Karmozyn Jr., and Norman C. Mainville. Councilor Cynthia L. Roe voted in opposition. Councilors Wallace F. Lees and Margaret L. Dudley were excused.**

**8. VOTED to adjourn at 7:20 P.M.**

**Motion by Councilor Cynthia L. Roe. Seconded by Councilor John M. Karmozyn, Jr.. The vote was unanimous by the five members present. Voting in favor of the motion were Council President Nancy F. Binns and Councilors Kevin M. Blais, John M. Karmozyn Jr., Norman C. Mainville and Cynthia L. Roe. Councilors Wallace F. Lees and Margaret L. Dudley were excused.**

**The hearing was taped. The tape is on file with the record of the meeting.**

**Louise R. Phaneuf, Town Clerk**