



Animal Control

Regular

<http://www.springfieldcityhall.com>

~ Agenda ~

City Clerk

Thursday, May 9, 2019

4:00 PM

Ante Room

I. Call to Order

4:00 PM Meeting called to order on May 9, 2019 at Ante Room, City Hall, Springfield, MA.

II. Hearing

1. Dangerous Dog Hearing by Neighborhood -27 Riverview N St

We the undersigned request the dogs on 27 Riverview St. be once again deemed dangerous in accordance with state law 136A, and removed from the premises in compliance with Massachusetts State Law 157 section h “(h) If an owner or keeper of a dog is found in violation of an order issued under this section, the dog shall be subject to seizure and impoundment by a law enforcement or animal control officer.” The dogs have been continually threatening neighbors. The dogs once again got out August 11th, 2018. They aggressively came at a neighbor who happened to have a garden hose in his hand and sprayed them, which scared them off. We believe the homeowners have violated their agreement with the city and continue to be a nuisance to the neighborhood.

TJ O'Connor has had to respond:

06/01/16 A neighbor heard the dog on the owner being bitten, and heard the owner yell “throw hot water on that bitch” An officer arrived to find one dog wet, one with fresh puncture wounds and the owner with a towel around his forearm. He claimed to have cut it on a car.

There's two problems here 1) the owner was presumably bitten making the dogs dangerous, 2) the dogs were abused. Another neighbor called about a 3rd dog with puncture wounds in the house, again animal abuse.

10/28/16 Pit bulls loose again

12/10/16 Pit bulls loose again

07/11/17 Pit bulls knock down and and chase a neighbor on the porch

08/30/17 Dogs ordered spay/neuter, micro chipped build a kennel, and obtain \$100,000 liability insurance

10/20/17 Dogs out loose again in neighbors yard

08/11/18 Dogs out loose again-come at neighbor in threatening manor. Chased off by garden hose.

In addition, there are a couple of other incidences that went unreported to authorities.

The dogs owners have been in violation of the following city ordinances:

§ 110-5 Restraint and control of animals; public nuisances; barking dogs.

A.

All animals, with the exception of sterilized cats, shall be kept under restraint when in public. "Restraint" shall mean a leash, lead or other physical restraint. Dogs

B.

Every owner or keeper of an animal shall exercise proper care and control of his/her animals to prevent them from becoming a public nuisance. An animal found to be a public nuisance may be impounded by an Animal Control Officer, as set forth in this chapter. Animal nuisance behaviors include, but are not limited to:

(1)

Molesting or attacking persons, animals or vehicles without provocation;

(2)

Repeated trespassing on public or private property, including school grounds;

(3)

Repeatedly being found at large, outside of confinement or off restraint;

D.

It shall be unlawful for any person owning, keeping, harboring, or possessing any animals to permit the same to go at large any time within the limits of the City, to the damage or annoyance of any of the residents of the City.

The dogs owners are also in violation of state law section 157

- (4) at the time of the attack or threat, the person or animal that was attacked or threatened by the dog had breached an enclosure or structure in which the dog was kept apart from the public and such person or animal was not authorized by the owner of the premises to be within such enclosure including, but not limited to, a gated, fenced-in area if the gate was closed, whether locked or unlocked; provided

- (iv) that the owner or keeper of the dog provide proof of insurance in an amount not less than \$100,000 insuring the owner or keeper against any claim, loss, damage or injury to persons, domestic animals or property resulting from the acts, whether intentional or unintentional, of the dog or proof that reasonable efforts were made to obtain such insurance

(v)

- (h) If an owner or keeper of a dog is found in violation of an order issued under this section, the dog shall be subject to seizure and impoundment by a law enforcement or animal control officer. If the keeper of the dog is in violation, all reasonable effort shall be made by the seizing authority to notify the owner of the dog of such seizure.

a dog that either: (i) without justification, attacks a person or domestic animal causing physical injury or death; or (ii) behaves in a manner that a reasonable person would believe poses an unjustified imminent threat of physical injury or death to a person or to a domestic or owned animal.

We request the dogs be deemed dangerous and removed from the property

Signed	Printed Name	Address
<i>Merald Adams</i>	Gerald Adams	14 Riverview Ter
<i>Nancy Francisco</i>	Nancy Francisco	10 Riverview Street
<i>Alar Towne</i>	Alar Towne	16 Riverview St
<i>Sheryl Rueli</i>	Sheryl Rueli	47 Riverview St
<i>Nicola M. Manion</i>	NICOLA M. MANION	98 FOREST PARK AVE
<i>Thomas J. Manion</i>	Thomas J. Manion	98 Forest Pl Ave
<i>Cindy Fiore</i>	CINDY FIORE	50 Forest Pl Ave
<i>A. Galarza</i>	A. Galarza	8 Riverview Ter
<i>Thelma Crow</i>	Thelma Crow	8 Riverview Terrace
<i>Patrick Murkey</i>	Patrick Murkey	17 Oxford St, Spfld MA
<i>Jennifer Markey</i>	Jennifer Markey	17 Oxford St. Spfld MA
<i>John C. Fralino</i>	JOHN C. FRALINO	30 OXFORD ST SPFLD MA
<i>Dancy C Fralino</i>	Dancy C Fralino	30 OXFORD ST, Spfld
<i>Margaret Martin</i>	Margaret Martin	46 Oxford St., Spfld, MA
<i>Michael Downey</i>	Michael Downey	11 Riverview Ter
<i>Gabriela Downey</i>	Gabriela Downey	11 Riverview Terrace
<i>Tony Sergentanis</i>	Teresa Sergentanis	50 Riverview Terrace, Spfld MA
<i>Tony Sergentanis</i>	Tony Sergentanis	50 Riverview Ter Spfld MA
<i>Elizabeth Contant</i>	Elizabeth Contant	52 Oxford St Spfld MA

Communication: Dangerous Dog Hearing by Neighborhood -27 Riverview N St (Hearing)

Elizabeth A. Quinn	ELIZABETH A. QUINN	79 Riverview Terrace
John Francisco	John Francisco	10 Riverview St.
Sharon M. Marshall	Sharon M. Marshall	19 Maplewood Terrace
Charles Mutigue	Charles Mutigue	25 Riverview Terrace
Carolyn Sears	Carolyn Sears	40 Riverview Terrace
Patricia Sears	PATRICIA SEARS	40 RIVERVIEW TERRACE
Cynthia Luch Howard	Cynthia Luch Howard	35 Riverview Terrace
Elaine Lamson		55 Riverview Terrace
Maggie Adams	Maggie Adams	14 Riverview Terr.