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Conservation Board Meeting Public Notice

Monday, July 7, 2025, 5:30 PM

311 North Avenue, Conference Room or Remote via Zoom

Zoom: https://zoom.us/j/95590052709?pwd=MlhQcTVTNmUydW5qelBLeFUwZk9LZz09

Webinar ID: 955 9005 2709

Password: 346560

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1. Annual Organizational Meeting

1.1. Nomination and election of Chair, Vice Chair, & Long Range Planning Committee representative

2. Minutes

2.1. Accept minutes from June 2, 2025 meeting

3. Board Comment

3.1. New Board members introductions

4. Public Comment

5. Update & Discussion

5.1. Dog Task Force
Discussion of task force report and decision as to further board action, if any

6. Adjournment

7. Informational and Non-Discrimination Statements

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Conservation Board Meeting Minutes

Monday, June 2, 2025 – 5:30 pm
Remote & In Person Meeting

Attendance

- **Board Members:** Zoe Richards (ZR), Caryn Connolly (CC), Rebecca Roman (RR), Leslie Spencer (LS), Kyle Tansley (KT), Ethan Ely (EE), Ryan Crehan (RC)
- **Absent:** Elizabeth Cunningham (EC), Don Meals (DM)
- **Public:** Dana Allen, Shawn Len, Jeff O'Donnell, Brenan Laclaria, Rita Church, Sarah Morris, Ron McGarvey
- **Staff:** Scott Gustin (Permitting & Inspections), Dan Cahill, and Max Maladanski (Parks & Rec)

RR, chair, called the meeting to order at 5:30 p.m.

Minutes

May 5, 2025 minutes

A MOTION was made by EE and SECONDED by KT:

Approve the May 5 minutes as written.

Vote: 7-0-0, motion carried.

Board Comment

KT has chosen to not renew his board membership.

CC said today is her last meeting as well.

ZR noted the Board's student membership will be open soon. How do we advertise that?

RC noted the Parks Commission recently discussed the dog task force. There are parts that we might want to weigh in on. SG said he'd reach out to Cindi Wight as to status and opportunity to weigh in.

SG noted the Open Space Plan outreach events coming up and the Board's annual report.

Public Comment

Shawn Len, rep of Burlington Bike Park Coalition, said he's here to support the Leddy Park bike loop application. The goal is to provide space for kids, big and small, with space to mountain bike. This will provide a local, free, and safe space for biking in our open spaces.

The programs and services of the Dept. of Permitting & Inspections are accessible to people with disabilities. For accessibility information call 865-7188.

Jeff O'Donnell, speaking in support of the bike park and lives nearby, spoke in support of the Leddy Park Comp Plan. He's excited that the city will provide access to this bike park from the neighborhoods.

Brenan Laclaria, lives nearby. He's gotten conflicting information as to the scope of the project. Insufficient notice of what's to happen has been provided. He's concerned with what it will look like. He'd like to know more about what it will entail. Will there be lights? Ramps? We want to know details about the project.

Rita Church, lives on Lakewood Parkway, directly in line with the tennis courts. She knows about noise at the Park. She wants to listen to what's proposed. She does not want to find out that all of the trees behind her end up cut. She enjoys observing the birds and deer in the woods behind her home. She's concerned with the potential for smoke, dust, lights, and tree removal. She's got cameras on her property and has observed people on her porch rocking chairs at 2am. She would like the Board to consider the potential for problems.

Sarah Morris, lives on Lakewood Parkway, is interesting in knowing more about the proposal.

Project Review

1. **ZP-25-258; 216 Leddy Park Rd (Ward 4, RCO-RG) City of Burlington**
   Create approximately 2,070 linear feet of earthen surface bike trail with features built from native soils.

Max Maladanski and Dana Allen appeared on behalf of this application.

Max Maladanski overviewed this project. The idea has been percolating for about 10 years. Leddy was determined to be the best host site. About 2 years ago, a plan for siting it at Leddy was started. There will be about a 50' wide buffer between the park and neighboring homes. An assessment by Alicia Daniel found that this area has woods of comparatively lower ecological integrity than other locations.

Rita Church asked how many folks were notified. Max Maladanski said 100-200 surveys received, in addition to multiple outreach events.

Dana Allen presented the project and noted existing and proposed conditions. He noted the presence of a mapped wetland below the bike path to the west. He noted the informal trail accessing the park from Lakewood Parkway. Trail width will generally be 6.' Disturbance will be mostly limited to removing undergrowth and saplings. Onsite soils will be used for the trails and their features. In total, 4 trees of more than 9" caliper will be removed, including one dead tree. Grading will be gradual with restoration of the forest duff layer where necessary. Side slopes of trail features will be similarly treated.

RC asked about duffing on the side slopes. Dana Allen said excavation will be limited to 2' to avoid creation of pits in the woods. Typically, the builder will put down larger branches and logs.

EE, what type of soils are on the site? Dana Allen said Adams Windsor loamy sands. Its basically old lakeshore material.

Dana Allen changed to stormwater management. It focuses on infiltration into surrounding areas. Very little impervious surfaces are proposed. Simple vegetative disconnection is proposed. Site slopes are in the 1% - 3% range generally. Minimal runoff generation is anticipated. We have met with the city stormwater folks to discuss. No "hard" stormwater infrastructure proposed. The ESPC follows state standards and addresses vegetative disconnect and surface roughening.

ZR, on the southeast corner, there appears to be a stub of trail. What does that lead to? Dana Allen, that's a new entrance off the existing pedestrian trail. ZR, how will you manage pedestrian and bike use? Max Maladanski said each entrance will have signage noting that you are entering a bike park.

LS, are there concerns with using sandy soils? Is the stockpile soil different? Dana Allen, thinks all of the stockpile was from prior onsite excavations. He's not concerned with use of the soils. This soil has pretty decent structure.

RR likes the use of onsite soils. It reduces potential to introduce more invasive species.

EE, are there invasive species onsite? Dan Cahill, yes, there are lots of them. The city has a plan to go in after the work is done to plant native species to help regeneration.

ZR asked why the Board is seeing this application. SG explained that the project is large enough to require DRB review and that it is located within a city green space.

Dana Allen displayed drawings of some of the typical trail features, like jumps, banks, and rollers.

LS asked about tree cutting. Dana Allen said the noted clearing is within the entire trail corridor. We only flagged trees above 9" caliper. We're generally avoiding large trees with this design.

RC, what is the footprint of the trail work? Dana Allen, the tread surface is 6' wide for flow trails. The jump trail is about 12' wide. RC, is any erosion fabric proposed? Dana Allen, no, we are disturbing such small areas on such limited slopes, it is not necessary.

Public Comment:

Ron McGarvey, Lakewood Parkway. Public outreach has been ongoing for several years. Not everyone is aware, but it has been ongoing. The details shared tonight are the first he's seen them.

Unidentified, any lights? Max Maladanski, no lights.

RR, it sounds like Max is the person to talk with.

Bret Lawrence, Lakewood Parkway, has there been any study of impacts on property values? Max Maladanski, no.

Ron McGarvey, he's seen plans for modifying the park access road. Is there concern about traffic on the park road and the bike park? Dana Allen said the closest the trails come to the road is about 12' or 15.'

Board discussion:

RR, this is an action item.

Dan Cahill, Burlington's connected natural spaces are not large enough to provide big woods experiences like where you may have elsewhere. We have more intention in providing a connective experience in smaller spaces.

ZR noted there are some conservation downsides as well as upsides. Dan Cahill, the roads have created a certain forest type in this area.

RR, having the trails here will limit further harm in other locations.

LS, what do Board members think about native plantings?

A MOTION was made by LS and SECONDED by ZR

Recommend approval with a provision for installation of native plantings in disturbed areas.

Vote: 7-0-0, motion carried.

Update & Discussion

1. **Deer Management**
   Follow up from May 5 Open Space Subcommittee Discussion.

Dan Cahill addressed this item.

Dan Cahill said they have applied for a $20K USDN grant. It focuses on planting out core areas, including areas in Leddy, Arms, and Ethan Allen Parks. We'll be doing a variety of plantings from relatively large trees to bare-root stock. In each of the areas, deer exclosures will be installed. We should find out in mid-June as to the grant application.

ZR, this is a great opportunity for us to participate in. There is an upcoming item as to urban biodiversity. Dan Cahill, we'll place tree orders in August and do plantings and exclosures in October. There is ongoing invasive species removal work.

RC there has been a lot of research lately around effective exclosures, particularly as to cost effectiveness. Dan Cahill, we are committed to the exclosures whether or not we are awarded the grant.

Executive Session

Adjournment

7:25 PM.

12/13/23

City of Burlington, VT 2021-2023 Dog Task Force

Executive Summary

The Dog Task Force was created in 2021 by a City Council resolution to address the growing number of dogs in Burlington and a perceived increase in conflicts. The Task Force included a broad representation of stakeholders. It met from 2022-2023 to carry out the tasks outlined in the resolution. This report includes details of the work of the Task Force, recommendations and rationale.

Key recommendations:

1) Modernize and update the city ordinances that relate to animals.
2) Improve the licensing process and dramatically increase the number of animals licensed in the city. Allocate a portion of the license revenues for programs and activities that support healthy and happy dogs and cats within the City.
3) Require cats to be licensed and prohibit at-large cats, with certain exceptions
4) Improve the reporting, compliance and enforcement of animal-related ordinances by creating the position of Animal Control Officer at the Police Department and adding professional experts to the Animal Control Committee.
5) Establish a policy for off-leash dogs that includes the management and creation of fenced and unfenced off-leash dog areas at a limited number of locations; and recommend BPRW conduct a pilot project to test unfenced off-leash areas for dogs.

6) Create and expand an annual calendar of education outreach, activities and parks-based events to reduce issues and conflicts around domestic animals while celebrating the joy they bring to Burlington's residents.

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Map Date: August 3, 2023

Fig. 1. A map showing that dog registrations appear to be evenly spread across the city, indicating both that dogs are located all over the city and that the low licensing numbers are pervasive and not restricted to any specific areas.

Findings and Recommendations

Ordinance Updates

Recommendation: **Modernize and update the city ordinances that relate to animals**

The City of Burlington ordinances related to animals (Chapter 5 "Animals and Fowl") have not been updated on a regular basis, in some cases for 26 years. As a result, many of the ordinances are outdated with regard to current terminology and regulatory practices. The Task Force ordinance subcommittee conducted a comprehensive review of the ordinances and compiled a list of recommendations.

The recommendations, as follow, fall primarily into four categories: updates to language, improvements to animal shelter policy, licenses and other recommendations to improve the welfare of dogs and cats, and measures to strengthen enforcement. Please note that in the course of the review of Chapter 5, the Task Force has made recommendations that fall outside the four corners of the Resolution, such as revisions to the regulation of exotic animals, and these recommendations, while not noted below, are included in Appendix C. The Task Force requests that the City consider these additional recommendations as well in order to ensure that the ordinances better reflect current societal views of animals.

Language:

- Retitle Chapter 5 "Animals"
- Retitle Article II "Dogs and Cats"
- Replace the term "pound" with "animal shelter" throughout
- Replace the term "owner" with "guardian" throughout
- Replace the term "pet" with "companion animal" throughout
- Replace the term "vicious" with "dangerous" throughout
- Replace "it" with "they" when used in reference to an animal throughout

Animal shelter:

- Provide an animal shelter for all species of companion animals in need
- Remove option for animal shelter to sell or give away unredeemed animals, and restrict options to offer for adoption or transfer to cooperating animal shelter

Dogs and cats:

- Require that dogs and cats wear identification
- Require that cats be licensed
- Increase license fees and review the fee structure at least every 5 years
- Dedicate license fees to education and other services pertinent to improved welfare of resident dogs and cats
- Prohibit at-large cats

Enforcement:

- Provide a dedicated, certified animal control officer with investigative resources
- Increase fine for violations of Chapter 5 and include restorative justice as a supplemental option for offenders
- Require impoundment of any animal suspected of being a stray
- Increase impoundment fee
- Require boarding fee to reflect actual expenses
- Increase fine for cruelty to animals
- Add a licensed veterinarian and a certified animal behavior professional to the animal control committee
- Allow any person to use reasonable force to remove an animal whose health or safety is at risk from a motor vehicle if designated officials are unavailable
- Prohibit any person from leaving the scene of an accident for which they have reason to believe that they have caused the injury or death of an animal

Appendix C includes a copy of Articles I, II, and III of Chapter 5 and Section 22-13 of Chapter 22 as well as a detailed discussion of the bases for the recommendations.

Licensing Programs and Policy Updates

Recommendation: Improve the licensing process and dramatically increase the number of animals licensed in the city. Allocate a portion of the license revenues for programs and activities that support healthy and happy dogs and cats within the City.

The Task Force found that Burlington was under licensing dogs compared to neighboring communities. Licensing is an important means of monitoring the overall health of the City's dogs with respect to rabies, and thus reducing transmission of this virus. Rabies, once symptoms appear, is fatal to humans and animals. In addition, treatment is expensive, painful and occurs over multiple visits. Further, licensing facilitates returning animals to their guardians quickly and efficiently, which reduces stress on the animals and saves City resources for other needs.

The Task Force performed a detailed review of licensing data and trends and found that licensing rates in Burlington are very low compared to neighboring cities with smaller populations. The 2022 rate of licensing in Burlington is estimated at 11%. The practices of the neighboring community of South Burlington, which has an estimated 35% licensing rate for dogs, were compared with Burlington's practices.

In the course of the Task Forces research, it was apparent that there are no dedicated funds for the development of parks resources for animals and their guardians. With some effort to improve licensing numbers, revenue increases for the city could be significant enough to fund additional programs and activities that support healthy and happy dogs and cats within the City. Examples of these programs are listed below.

The Task Force overwhelmingly recognized the importance of improving and expanding licensing within Burlington. The Task Force recommends that the City's licensing programs be strengthened and expanded as follows:

Improve licensing compliance

- Expand outreach and awareness to increase the number of animals licensed
- Educate the community about how the licensing funds are used, and the benefits of licensing (e.g. community health - rabies vaccination ensured)
    - This information should be provided when an animal is licensed
- Require cats to be licensed (see next recommendation)
- Expand the consequences for not licensing dogs and cats
    - Increase penalties (see Appendix C, Chapter 5 Article III)

    - Work with landlords and housing associations to encourage licensing requirements in lease/HOA agreements. Less funding for resident companion animal programs
- Require at-large animals be licensed before they are returned to their guardian
- Require animal control officers to verify licenses when responding to incidents and record that information in the incident report
- Grant the police real-time access to licensing information to increase the ease of rabies verification in the event of a bite.

Use the resulting increase in licensing revenues to create a special fund

The fund would support:

- Annual licensing efforts
- Development of a streamlined process to share licensing data
- Improved incident reporting and data tracking and improved responsiveness from police
- Additional companion animal programs and education
- Low-cost spay/neuter services
- Additional park facilities for animals

Appendix D includes detailed research and discussion of the bases for these recommendations.

Cats: Licensing and Prohibition of At-Large Cats

Recommendation: Require cats to be licensed and prohibit at-large cats.

The Task Force recommends that the City of Burlington require cats be licensed for their own welfare and that of other animals, to aid in identification for animal control purposes, and to better ensure public safety.

Burlington would not be the first to do so, as both South Burlington and Shelburne require cats to be licensed. The many benefits of licensing are enumerated in Appendix C under the discussion of Article II, sections 5-16 and 5-14, and include improving the health of cats

and reducing the number of cats who are lost with no way to identify the guardian. Increased revenues from licensing could also help support better responsiveness to cat-related incidents, as well as support affordable spay/neuter options for low-income residents.

The Task Force also recommends that the City prohibit at-large cats, that is cats that are off-premise and not restrained by their guardian. Free roaming cats are more likely to experience disease and both accidental and intentional injuries as well as fatalities, and thus have shorter life spans (this is reflected in City data where 50 percent of reports about cats pertained to cats who had been found deceased, and of those, 75% were found in roadways). Cats permitted to roam off-premises can easily become nuisances on both public and private property and are classified as such in some neighboring municipal ordinances. Further, free-roaming cats are well documented in the scientific literature as immensely destructive to wildlife, particularly birds.

- Implement ordinance recommendation regarding licensing cats and prohibiting at-large cats as per the Ordinance Update recommendation

For a more detailed discussion, see Appendix C, Article II, Discussion.

Reporting, Enforcement & Compliance

Recommendation: Improve the reporting, compliance and enforcement of animal-related ordinances by creating the position of Animal Control Officer at the Police Department and adding professional experts to the Animal Control Committee.

The Task Force reviewed reporting, compliance and enforcement of dog related ordinances.

This included reviewing reporting mechanisms, social media, Front Porch Forum, and police department data for incidents such as off-leash dogs, aggressive dogs, attacks by dogs, as well as responses by the Burlington Police Department (BPD). Data obtained from the BPD likely reflects only a small portion of the actual incidents that involve animals in the community. Because residents may be aware of the narrow scope of the Department's

work on these issues, as detailed below, it can be assumed that many residents do not bother to report animal incidents and thus there is no record created.

Currently the City's Community Service Officers (CSO) respond to dog and rabies vector related calls for service. Incidents that are called in are responded to and are documented in incident reports. Depending upon the follow-up required, incidents may be responded to over several shifts. CSOs have many other responsibilities besides responding to animal incidents. If there is a higher priority incident such as a car accident, their attention may be focused on those. Additionally CSOs' responsibilities are limited to responding to dog-related reports and to reports about rabies vectors. Therefore concerns about cats or other animal types besides dogs are referred to other organizations such as the Humane Society of Chittenden County or to a wildlife removal service.

The Task Force recognizes the work that the CSOs perform everyday, but strongly recommends that a part- to full time animal control officer be hired by the City.

An animal control officer (ACO) also responds to incidents, but in addition proactively enforces ordinances (such as leash laws) and oversees the overall health and safety of animals within the City. An ACO would have specific and ongoing training and certification in the handling and welfare of animals, be able to perform inspections on and monitor facilities that shelter animals, educate the public on how to care for animals, and investigate trends and repeat problems or animals, conduct in-depth investigations and overall be a point person and resource for the Burlington community.

To improve compliance and enforcement of ordinances, the Task Force recommends the following:

- Create a position at the Police Department of Animal Control Officer
- Ensure personnel that are involved in animal welfare & enforcement of the Animals Ordinances have proper training and access to updated licensing information
- Increase education to improve community awareness on how to report incidents effectively
- Expand online incident reporting categories to include animal issues and ensure issues are assigned to responsive entities within City operations

- Recommend adding licensed veterinarian and certified animal behavior professional to animal control committee
- Improve organization and categorization of data as it relates to incident reporting/tracking

See Appendix I for a summary of animal incidents reported to police and how they were typically addressed/resolved, per the report data available.

Off Leash Areas

Recommendation: Establish a policy for off-leash dogs that includes the management and creation of fenced and unfenced off-leash dog areas at a limited number of locations; and recommend BPRW conduct a pilot project to test unfenced off-leash areas for dogs.

Currently, it is against City ordinances to allow a dog off leash anywhere in the city, except in two fenced-in dog parks and one unfenced beach area. Areas in which dogs may be off-leash comprise a total of 3.5 out of the 520 acres of City Parks (less than 1% of all park land). Many Burlington dog guardians allow their dogs off leash indiscriminately on Burlington's trails and in parks and the City's enforcement of current leash laws is weak to non-existent. The committee researched potential locations, looked at programs in jurisdictions throughout the US for best practices and conducted a City-wide survey. There is a strong desire from dog guardians to have easy access to off-leash areas.

Our parks are a limited resource, and while more areas could be fenced in for dogs, this would exclude regular park goers from this valuable space.

The Off-Leash Areas recommendations, as follow, satisfy the need to create space in our urban environments where dogs may play freely and the desire not to fence off all of our parks for dogs, while providing a mechanism to better regulate and manage spaces where dogs are off-leash. By providing sufficient sanctioned off-leash spaces for dogs to play, explore, and run, the City may focus on the enforcement of regulations requiring dogs be on a leash otherwise within the City's system of parks and recreation paths, protecting all users and our urban wildlife.

The Task Force recommends increasing designated off-leash spaces while simultaneously increasing the enforcement of leash laws in the rest of the city. The goal is to ensure healthy and safe access to appropriate outdoor space for dogs across the City and to support enforcement of inappropriate spaces where dogs should not be off leash.

- Update the City ordinances with a new Section 7 of Appendix D which will add one fenced off-leash dog area to Oakledge, formalize the two existing off-leash fenced dog areas, and provide the parks department with regulations and the ability to enforce these regulations.
- Establish an Off-Leash Dog Policy with oversight by the Parks Commission
- Create a pilot program of off-leash dog areas, as drafted in the Off-Leash Dog Policy in Appendix F

The list of pilot areas in the Off-Leash Dog Policy came from a review of prior committee work (see Appendix K), current parks programming and usage, and survey results (Appendix I). Considerable thought was given to how to avoid clashes, including the following:

- Clear signage indicating designated off-leash areas & rules for using these spaces.
- A landing page on Burlington Parks Recreation Waterfront (BPRW) website showing where dogs can and can't go, and where they must be kept on-leash.

Education Campaign

Recommendation: Create and expand an annual calendar of education outreach, activities and parks-based events to reduce issues and conflicts around domestic animals while celebrating the joy they bring to Burlington's residents.

The Burlington Dog Task Force worked with the Parks & Recreation Department to support the education campaigns and events, including:

- Barking contribution to noise pollution, and solutions to unwanted barking, posted on 2/16/2023
- On leash in natural areas, posted on 5/18/22

- Scoop the Poop campaign, posted on 4/1/22
- Dog License education, posted 3/22/23
- Wag the Waterfront event

The Burlington Dog Task Force has created a draft calendar with suggested educational posts for social media and Front Porch Forum, as well as sample campaigns, as included in Appendix H. Additional educational ideas included the following:

- "Having a dog in Burlington" literature handed out when a license is first issued
- More signage similar to what BPRW posted on the bike path during the summer of 2023 (see image on the right).
- Recommend that a web page on the city's website is developed that goes over everything to do with dogs and cats: rules, how and why to license, off leash rules, off leash areas. Then this site can be referenced and linked to. (signs have QR codes leading to this page)
- How/when to report issues
- Impact of outdoor cats on wildlife
- Low cost spay/neuter options

The Task Force recommends the following educational steps be taken by the City:

- Follow an annual calendar of automatic social media posts/news releases (see appendix for content subjects)
- Hold annual programs in parks such as the recent "Wag the Waterfront".
- Provide behavioral learning opportunities to animals and their companions

- Provide resources for new arrivals (either new residents of Burlington who have dogs, or current residents who get a new dog) on on and off leash areas, regulations, general “good neighbor” guidelines and wellness resources
- Install signage on guidelines for behavior of dogs in designated off-leash areas
- Distribute education/information/tips annually on the cards that accompany dog license tags
- Develop a curriculum for the community justice center, should a restorative justice approach be adopted for resolving violations of dog policies & ordinances

Appendices

Appendix A: Council Resolution

On March 30, 2021 the New North End City Councilors (Barlow, Carpenter, and Dieng), South End City Councilor Shannon, and Parks, Recreation and Waterfront Director Wight hosted an informative and constructive meeting with city residents to better understand pet issues beyond complaints shared on social media. This led to a Burlington City Council resolution on June 28 to create a Burlington Dog Task Force to address these issues. Dog Task Force members were officially appointed on November 17, 2021 by the PAC and the first meeting of the Task Force convened on January 27, 2022. The original resolution is copied below.

The scope of work included a mix of actions for implementation and policy recommendations.

HRB/Resolutions 2021/BURLINGTON PARKS ARTS AND CULTURE COMMITTEE TO CREATE A DOG TASK FORCE 7/8/2021

CITY OF BURLINGTON

In the year Two Thousand Twenty-one

Resolved by the City Council of the City of Burlington, as follows:

BURLINGTON PARKS ARTS AND CULTURE COMMITTEE TO CREATE A DOG TASK FORCE

That WHEREAS, According to the City Charter, a dog is defined as the following: Dogs shall include both male and female of the canine species. Dog shall also mean any animal which is considered to be a wolf-hybrid as defined in 20 V.S.A. § 3541(6).

WHEREAS, Dogs are considered an integral part of our society, playing different roles and providing services in the daily lives of humans, such as for accessibility, companionship, exercise, security and more.

WHEREAS, Under the Americans with Disabilities Act (ADA), a service animal is a dog that has been individually trained to do work or perform tasks for an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

WHEREAS, According to the American Society for the Prevention of Animal Cruelty (ASPCA), dog adoptions are up 700% nationally during the pandemic.

WHEREAS, According to the City of Burlington Parks, Recreation and Waterfront website, "The State of Vermont has one of the highest rates of pet ownership around the nation, the City of Burlington has made possible for community members to share their experiences in many different locations in the greater Burlington Area."

WHEREAS, The City of Burlington issued 755 dog licenses and collected over $23,000 in dog license revenue for the 2020 fiscal year.

WHEREAS, The City of Burlington via the Department of Parks, Recreation and Waterfront has made a substantial investment in the renovation of the Starr Farm Dog Park located in the New North End.

WHEREAS, Over the past few months, residents of the New North End alongside other residents of the city have shared via social media (Front Porch Forum, Facebook) a growing number of incidents involving dogs or dog owners. The incidents were reported by both dog owners, former dog owners or nondog owners.

WHEREAS, Most of those incidents are similar in nature; some are unique incidents that resulted in a decreased quality of life and have caused tensions between neighbors. Those incidents include but are not limited to the following:

- Off leash dogs in city parks, natural areas or beaches
- Dogs attacking people or other dogs
- Dog feces not being picked up
- Policies not being enforced
- Unlicensed dogs
- Dog barking contributing to noise pollution

WHEREAS, Several other issues involving other types of pets in the city were also shared by community members.

WHEREAS, On Tuesday, March 30th the New North End City Councilors, Barlow, Carpenter and Dieng, hosted an informative and constructive community meeting alongside South End District City Councilor Shannon and Parks, Recreation and Waterfront Director Wight in order to better understand the pet issue beyond the complaints shared on social media.

WHEREAS, The Community meeting was well attended and received by the community. The attendance ranged from people of the South End, Old North End and New North End. Most attendees were dog owners or former dog owners as well as non-dog owners, nature lovers, dog park volunteers and professionals working with pets.

WHEREAS, Residents who attended the community meeting brainstormed ideas and best practices related to these issues and are willing to formally help the city in an ongoing way.

WHEREAS, The Burlington City Council, via a resolution, respectfully tasked the Parks, Arts and Culture Committee to make a recommendation via a resolution by June 28th to the Council regarding the creation of a Burlington Dog Task Force to address the issues raised in this resolution and possibly other issues.

WHEREAS, The Parks, Arts and Culture Committee, in consultation with the Director of Parks, Recreation and Waterfront and the Starr Farm Dog Park Volunteer Coordinator, developed the following recommendations for a nine (9) member task force and their scope of work.

NOW THEREFORE BE IT RESOLVED, The nine-member Dog Task Force shall be composed of the following members:

1) Starr Farm Dog Park Volunteer Coordinator
2) Representative of a dog shelter, dog rescue group or other dog group to be appointed by PACC
3) Dog trainer to be appointed by PACC
4) Veterinarian or animal health professional to be appointed by PACC

5) Burlington Police Department Community Resource Office representative to be designated by the Chief of Police
6) Burlington Parks, Recreation and Waterfront representative (staff with land use or event planning expertise) to be designated by the BPRW director
7) At large Burlington community member who is a non-dog owner to be appointed by PACC
8) At large Burlington community member who is a dog owner to be appointed by PACC
9) A representative of the Parks Commission to be appointed by the Parks Commission Chair

BE IT FURTHER RESOLVED, Parks Director will create an application for task force membership.

Applications will be received by the Clerk/Treasurer's Office until August 31, 2021. PACC appointed members shall be selected by the Parks, Arts and Culture Committee at their September meeting

BE IT FURTHER RESOLVED, The Parks, Art and Culture Committee recommends the following:

A. That the Dog Task Force members elect a Chair as their first order of business in their first meeting; and the Director of Burlington Parks and Recreations and Waterfront to identify an administrative staff to the taskforce
B. That the following be within the Dog Task Force's scope of work:
    1) Review current city programs and policies including other dog task force work.
    2) Conduct an Education Campaign:
        a) Off leash dogs in city parks, natural areas or beaches
        b) Dogs attacking people or other dogs
        c) Dog feces not being picked up
        d) Dog barking contributing to noise pollution
    3) Review licensing rules and make recommendations
        a) Review licensing fees and make recommendations
        b) Explore modernizing license fee applications

c) Consider the question of licensing of outdoor cats

4) Review compliance and policy enforcement and make recommendations
5) Plan Pet/Dog Events, Activities and Celebrations, i.e., National Pet Day or National Dog Day Celebration
6) Review current funding allocated to our municipal dog/pet resources and make recommendations
7) Provide quarterly updates to the Parks, Arts, and Culture Committee
8) Generate a final report to be presented to the City Council by April 29, 2022

Appendix B: Committee Members & Staff Participants

The full Task Force met monthly, with subcommittees and working groups collaborating in additional meetings as-needed.

Table 1. Appointed Members and City Staff

Appointed Members	City Staff
Jake Schumann, Chair through 10/24/2022 (Position 1)	Cindi Wight, BPRW Director
Lori Kettler (Position 2)	Meghan O'Daniel, BPRW Staff
Maria Karunungan, Chair 10/24/2022 forward (Position 3)	
Nina Hurley (Position 4)	
Dominic Tenan (Position 5, Reassigned) Yusuf Abdi (Position 5, Reassigned) Thomas Young (Position 5)	
Alec Kaeding (Position 6)	
Ilona Blanchard (Position 7)	
Ute Montensen (Resigned, Position 8) Joanne Kalisz (Replaced, Position 8)	
Abbey Duke (Position 9)	

Appendix C: Proposed Amendments to City Ordinances

Proposed Amendments to Article I of Chapter 5

The Task Force's recommended amendments are inserted and underlined, and text that would be eliminated is indicated by strikethroughs.

ARTICLE I. IN GENERAL

5-1 ~~Pound~~ ~~established~~ Animal shelter provided.

There shall be ~~established~~ provided by the city council ~~a pound~~ an animal shelter for ~~the impounding of all beasts~~ all domestic and exotic animals in need ~~liable to be impounded~~.

(Ord. of 6-23-97)

5-2 Appointment of ~~poundkeepers; compensation~~ animal shelter personnel.

It shall be the duty of the mayor to appoint such ~~poundkeepers~~ persons as may be required to ~~take care of and keep such pound as may be~~ manage and maintain the animal shelter that is established pursuant to section 5-1. ~~Their compensation shall be the same as provided by the laws of this state for poundkeepers in towns.~~

(Ord. of 6-23-97)

Cross reference—Duties of officers of the city, § 2-4.

5-2a Appointment of animal control officer

It shall be the duty of the mayor to appoint an enforcement officer(s), in accordance with section 122 of the city charter, who shall be a member of the Burlington Police Department. Such enforcement officer(s) shall be a certified animal control officer.

5-3 Animal bites.

It shall be the duty of every person bitten, or his or her parent or guardian, and the attending physicians to report to the ~~city health officer~~ animal control officer, who shall report to the city health officer, within twenty-four (24) hours the name, address and telephone number of the ~~owner~~ guardian or keeper of the animal ~~which~~ who bit the person and the complete circumstances, to the extent known.

(Ord. of 6-23-97)

5-4 Nuisance animals.

(a) No ~~owner~~ guardian, keeper or other person having control shall permit an animal to be a nuisance animal. For the purposes of this section, nuisance animal means any animal or animals ~~which~~ who:

(1) ~~Molests~~ Attacks or harasses passersby or passing vehicles, or otherwise creates a public safety hazard;

(2) Attacks other animals, including but not limited to wildlife;

(3) Damages property other than that of their ~~its owner~~ guardian;

(4) Defecates off the premises of the animal's ~~owner~~ guardian, and the ~~owner~~ guardian, or other individual in control of the animal, fails to remove such deposit immediately;

(5) Roams off the premises of the guardian while not under control of the guardian, or the guardian's agent, by leash or other similar means of physical restraint at all times; or

(~~5~~ 6) Barks, whines, howls, cries, or makes a noise commonly made by such animals in an excessive and continuous fashion so as to disturb the peace and quiet of any other person.

(b) Any dog or cat found to be a nuisance animal by an animal control officer shall be impounded if the guardian, or the guardian's agent, is not present and cannot be located immediately.

(Ord. of 6-23-97; Ord. of 10-23-06, eff. 11-22-06)

5-5 Exotic animals.

~~(a) *Purpose and findings:* The purpose of this section is to enhance the public safety of persons who are present on the district known as the Church Street Marketplace (the Marketplace) and in the city's parks by regulating the presence of "exotic" animals on the Marketplace and in the city's parks. The council finds that such pets can pose a threat to the public health, safety, and welfare if present on the Marketplace and in city parks. Such pets are unlicensed and are not typically leashed, as is required of domestic dogs.~~

~~(b) *Definitions:* "Exotic pet" means all animals except domestic dogs, domestic cats and the European ferret *(Mustela putorious furo).*~~

~~(c) *General prohibition:* No person shall have an exotic pet or permit their exotic pet to be on or about the Marketplace or within a city park unless expressly approved by the Marketplace Director or Parks Department respectively or exempted under the terms of this section.~~

~~(d) *Exemptions:* A person may have or permit an exotic pet to be on or about the Marketplace or within a city park when done to transport the pet directly from a pet store in the vicinity of the Marketplace or city park after purchase of such pet or to return such pet to said pet store. The person must retain a receipt for the purchase of such pet and shall display the receipt upon demand from any animal control officer, law enforcement officer, or other person duly authorized to enforce animal control ordinances.~~

(a) *Purpose and findings*: The city recognizes that the keeping of exotic animals raises animal welfare concerns and public health and safety concerns not commonly associated with domesticated animals. This section is intended to prevent mistreatment of exotic animals, reduce the risk of harm to the public from contact with exotic animals as well as accidents and other incidents involving such animals, and reduce the public health risk associated with diseases and pathogens carried by such animals.

(b) *Definitions*: "Exotic animal" means all animals except domestic dogs, domestic cats, domestic mice, domestic rats, domestic rabbits, gerbils, hamsters, guinea pigs, the European ferret, and livestock as defined by Title 6, section 791 of the Vermont Statutes.

(c) *Prohibition*: The offer for sale, sale, purchase, possession, or public display of any exotic animal within the corporate limits of the city is prohibited.

(d) *Exemptions*: Any exotic animal possessed on the date of the enactment of this ordinance is exempted from the prohibition on possession set forth in subsection (c) upon registration of the animal with the Board of Health. The exemption applies only to the individual animal so registered, and does not apply to any animal of the same species subsequently acquired. The prohibition set forth in subsection (c) shall not apply to registered 501(c)(3) organizations whose primary purpose is education, animal rescue, or animal rehabilitation.

(Ord. of 10-27-03, eff. 12-3-03)

~~5-6 Use of non-domesticated animals for public display prohibited.~~

~~(a) *Purpose.* This section is intended to assist in the prevention of the mistreatment of non-domesticated animals used in any public display, to reduce risk of harm to the public from accidents and incidents involving such animals, and to reduce the public health risk associated with diseases and pathogens carried by such animals.~~

~~(b) *Definitions.*~~

> ~~(1) *Non-domesticated animals* are defined as *Felidae* (all wild cats and hybrids thereof), *Ursidae* (all bears), *Proboscideae* (all elephants), and Non-human Primates and *Prosimians.*~~
>
> ~~(2) *Public display* shall mean the exhibition, presentation or showing of live non-domesticated animals to the general public regardless of whether for profit, on a not for profit basis or without charge.~~

~~(c) *Prohibition.* The public display of live non-domesticated animals within the corporate limits of the city is prohibited.~~

(Ord. of 9-7-04; eff. 10-13-04)

5-~~7~~ 6—5-12 Reserved.

Discussion

Section 5-1

The current language of section 5-1 requires the city to provide an animal shelter that accepts "all beasts liable to be impounded." It is the Task Force's understanding that the city has previously contracted only for the impoundment of dogs in need. The Task Force recommends that the city provide a shelter for all domesticated and exotic animal residents in need.

Section 5-2a

Section 5-2a is a new section that requires the appointment of a dedicated, certified animal control officer, or officers, within the Burlington Police Department ("BPD").

Currently, limited animal control functions are performed by the community service officers at the BPD. Community service officers are not required to have experience or training specific to animal control functions, such as animal handling, care, and welfare.[1] The Task Force recommends that the city retain an officer, or officers, whose sole duty is to respond to animal-related issues and to expand the program so that the city's animals and citizens are better served in this regard. To achieve that goal, the Task Force recommends that animal control officers obtain certification in animal control and be required to participate in continuing education courses, through a national professional training program.

[1] *See* City of Burlington, Community Service Officer Job Description, https://www.governmentjobs.com/careers/burlingtonvt/jobs/3045625/community-service-officer

The National Animal Care and Control Association ("NACA") recognizes the difficulty in determining the optimum number of animal control officers for any particular locality.[2] The calculation is affected by a number of factors such as the number of calls for service, officer safety, citizen safety, types of services provided, population density and diversity, and coverage area.[3]

Assessment of the number of officers required to address the animal control needs in Burlington is further complicated by the fact that calls for service may not accurately reflect the need for an animal control officer. For example, residents may be aware that the BPD does not respond to calls regarding free-roaming cats and, as a result, they do not place such calls for service.

Studies and other evidence suggest that most cities with a population similar to that of Burlington (approximately 44,000 residents) employ or contract with at least one animal control officer.[4]

In Vermont, an online search reveals that many smaller and less diverse municipalities have at least one animal control officer who may be part- or full-time, employed, contracted, or in a few instances a volunteer. A partial list includes Barre, Bolton, Brattleboro, Castleton, East Montpelier (2 officers), Fairfax, Guilford, Hartland, Highgate, Hyde Park (2 officers), Newfane, Putney, Randolph, Readsboro, Rockingham, Sharon, Shelburne, Shaftsbury, Waterbury, and Windham.

Section 5-4

Section 5-4 expands the definition of "nuisance animals" to include free-roaming animals. It also authorizes law enforcement to impound a "nuisance animal" if the animal's guardian, or the guardian's agent, is not present or readily located, and it requires impoundment of free-roaming animals under such conditions.

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[2]National Animal Care and Control Association, "Determining Field Staffing Needs," https://www.nacanet.org/determining-field-staffing-needs/.

[3] *Id*.

[4] For example, a study conducted by NACA found the average ratio of field animal control officers to citizens was one officer for every 16,000 to 18,000 persons. https://www.sheltertrak.com/downloads/kern/kcac_audit/4.pdf. Private online discussion groups for animal control officers across the country suggest similar statistics. Printouts on file with the author.

Section 5-5

Section 5-5 replaces the ban on exotic animals on Church Street Marketplace and in city parks with a city-wide ban on the offer for sale, sale, purchase, possession, or public display of exotic animals, with a grandfather clause for animals currently possessed, and exceptions for certain 501(c)(3) organizations.

The Task Force recognizes that the proposed amendment falls outside the scope of its mandate but wishes to take this opportunity to point out that societal views on the keeping of exotic animals have changed markedly in the last decade as we have learned more about these animals. It is now well accepted that the complex needs of exotic animals cannot be met in captivity, even by the most well-meaning guardians,[5] and that the exotic animal trade itself is a source of much suffering.[6]

The environmental impact of the exotic pet trade can be severe as well, often having a devastating effect on wild populations of the species traded. For example, it is estimated that every year 21% of the wild population of African Grey parrots, a popular "pet" and an endangered species, are poached.[7]

Exotic pets released into the wild when their novelty wears off, or when they become too expensive or too difficult to handle, can wreak havoc on native flora and fauna. Perhaps the most well-known examples of this problem are the Burmese pythons and green iguanas in Florida.[8] Vermont is not immune to invasive species, and it is projected that as the climate continues to warm some invasive species, such as red-eared slider turtles commonly sold in local pet stores, will survive and establish breeding populations in the state.[9]

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[5]Exotic animals, even those bred in captivity, still possess innate social and physical needs, and require mental stimulation that cannot be provided in private homes. *See*, Progressive Animal Welfare Society, "Exotic Pets," https://www.paws.org/resources/exotic-animals/.

[6] *E.g.*, World Animal Protection, "7 Reasons Why You Shouldn't Keep Wild Animals as Exotic Pets," https://www.worldanimalprotection.ca/news/7-reasons-why-you-shouldnt-keep-wildlife-pets; Born Free U.S., "The Dangers of Keeping Exotic Pets," https://www.bornfreeusa.org/campaigns/animals-in-captivity/the-dangers-of-keeping-exotic-pets/.

[7] *Id.*, World Animal Protection.

[8] Florida Fish and Wildlife Commission, "Burmese Python," https://myfwc.com/wildlifehabitats/profiles/reptiles/snakes/burmese-python/; Florida Fish and Wildlife Commission, "Green Iguana," https://myfwc.com/wildlifehabitats/profiles/reptiles/green-iguana/.

[9] Vermont Reptile & Amphibian Atlas, "Pond Slider," https://www.vtherpatlas.org/herp-species-in-vermont/trachemys-scripta/.

Aside from the animal welfare and environmental concerns, many species of exotic animals carry zoonotic diseases, and there are frequent reports of injuries and deaths from exotic animals kept as "pets," who can retain their wild instincts even after decades of captive breeding.[10]

All states prohibit or restrict the possession of certain exotic animals, and the latter often involves a permit, license, or registration requirement.[11] Vermont allows unrestricted possession of many exotic animals, such as certain species of pythons and boas, but requires a permit to possess other species, such as anacondas and black widow spiders.[12]

As the private "ownership" of exotic animals has increased, a growing number of counties and municipalities across the nation have enacted ordinances to prohibit or further restrict the presence of exotic animals in their communities, for the safety of residents and the welfare of the animals.[13] For example, Rainsville Alabama's Responsible Pet Ownership Ordinance prohibits the keeping of any non-domesticated, wild animal.[14] Richmond Virginia has a comprehensive ban on the ownership, breeding, purchase, sale, offer for purchase or sale, keeping or maintenance of all exotic or wild warm-blood animals, venomous reptiles and amphibians, and members of the crocodilian family, with exceptions for a limited number of identified species who are in captivity and have never seen the wild, or who have been domestically bred or legally imported.[15]

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[9] *E.g.*, Bruno B. Chomel, Albino Belotto, and François-Xavier Meslin, "Wildlife, Exotic Pets, and Emerging Zoonoses," Emerg Infect Dis, v.13(1); 2007 Jan., available at https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2725831/, last accessed Sept. 23, 2023.
[10] *E.g.*, People for the Ethical Treatment of Animals, "Reptile Incidents," https://www.peta.org/wp-content/uploads/2022/06/reptile-incidents-factsheet.pdf.
[11] Findlaw, "Exotic Animal Laws by State," https://www.findlaw.com/injury/torts-and-personal-injuries/exotic-animal-laws-by-state.html.

[12] Vermont Fish and Wildlife Department, "Unrestricted Wild Animal List" and "Restricted Wild Animal List," https://vtfishandwildlife.com/sites/fishandwildlife/files/documents/Learn%20More/Living%20with%20Wildlife/Importation/Unrestricted_Wild_Animal_List.pdf.
[13] *See* Humane Society of the United States, "Where the Wild Things Shouldn't Be," https://humanepro.org/magazine/articles/where-wild-things-shouldnt-be.
[14] City Of Rainsville, Alabama, "Non-Domesticated, Wild Animals," Ord. No. 5-23-13-A, sec. 10, http://www.rainsvillealabama.com/ordinances/Ordinance-5-23-13-A-amendment.pdf.
[15] City of Richmond, Virginia, Ord. No. 2023-130 - Amended 20230626, https://library.municode.com/va/richmond/ordinances/code_of_ordinances?nodeId=1228386.

The Task Force recommends that the city consider the proposed revisions to section 5-5 for the reasons stated herein.

Section 5-6

Section 5-5, if adopted, makes the prohibition on public display of certain non-domesticated animals in section 5-6 duplicative and thus unnecessary.

Proposed Amendments to Article II of Chapter 5

The Task Force's recommended amendments are inserted and underlined, and text that would be eliminated is indicated by strikethroughs.

ARTICLE II. DOGS AND CATS[1]

5-13 Definitions.

The following definitions shall apply to this article:

"At-large" shall mean not under the control of the ~~owner~~ guardian, a member of the guardian's immediate family, or the guardian's agent ~~or another individual either~~ by leash~~, cord, chain~~ or other similar means of physical restraint.

"Dog" shall include both male and female of the canine species. Dog shall also mean any animal ~~which~~ who is considered to be a wolf-hybrid as defined in 20 V.S.A. § 3541(6).

"Cat" shall include both male and female of the feline species.

"Enforcement official" when used herein shall mean any animal control officer, police officer, ~~poundkeeper~~ shelter manager, urban park ranger or other individual specifically designated by the city council to enforce the provisions of this chapter.

"~~Owner~~ Guardian" shall include any person or persons, firm, association or corporation owning, keeping or harboring a dog or cat.

"~~Vicious~~ Dangerous dog" shall mean a dog ~~which~~ that attacks or bites a person or other ~~domestic pet~~ companion animal while the dog is off the premises of the ~~owner~~ guardian or keeper, and the person or ~~pet~~ companion animal attacked or bitten requires medical attention. ~~Vicious~~ Dangerous dog complaints shall be investigated pursuant to section 5-27(b).

(Ord. of 6-23-97; Ord. of 4-17-00; Ord. of 4-17-23(1))

5-14 Identification required.

Identification that includes the name and contact information for the guardian of the dog or cat shall be securely attached to a collar or harness and worn at all times.

5-~~14~~ 15 At-large prohibited.

(a) *Prohibition.* Except as exempted below, no person shall permit a dog or cat for whom they are the guardian ~~him or her~~ or who is under ~~his or her~~ their control to be at-large as defined in section 5-13 or to trespass upon the property of another, public or private.

(b) *Public Safety.* Should an at-large dog or cat be deemed to pose an imminent public safety risk, said animal may be killed by the Police Department or their designee. Such an act shall occur where other reasonable means to control the animal have been unsuccessful or deemed not practicable under the circumstances.

(c) *Exemptions.* A dog or cat ~~may be~~ is not at-large if ~~it is~~ they are:

(1) On the premises of the dog's or cat's ~~owner~~ guardian;

(2) On the premises of the person under whose control the dog or cat is under; or

(3) On the premises of another person as long as that person has given permission for the dog or cat to be at-large~~;~~.

(4) A dog is not at-large if they are ~~i~~in a designated off-leash dog area managed and regulated by the board of parks and recreation commissioners.

(Ord. of 6-23-97; Ord. of 4-17-00; Ord. of 9-10-12(1))

5-~~15~~16 License and rabies vaccination required.

(a) *Licensing.* Every ~~owner or keeper~~ guardian of a dog or cat more than six (6) months old who has resided in the city for more than 90 days, shall be required to ~~annually~~ register and license the animal, in the manner prescribed by the city, with the city clerk's office and to do so annually provided that no guardian shall be required to register a dog or cat more than once in any calendar year. The license shall expire on the first day of April next after its issuance. Upon issuance of such license and payment of the license fee as required in section 5-17 of this chapter, each ~~dog owner~~ guardian shall receive a ~~dog~~ license tag.

(b) *Rabies vaccination.* Proof of a current rabies vaccination, as required by state law, shall be required for the licensing of any animal.

(c) *Fixture of tag.* The ~~dog~~ license tag issued to any person as provided herein shall be securely attached to a collar or harness on such licensed dog or cat and worn at all times.

(Ord. of 6-23-97; Ord. of 8-14-00; Ord. of 6-4-07, eff. 7-4-07)

State law reference—Control of rabies 20 V.S.A. § 3801 et seq.; immunization required, 20 V.S.A. § 4003.

5-~~16~~17 License fees.

(a) In addition to the license fee and any penalty fee required by state law, the municipal fee for each license required by this article shall be ~~twenty dollars ($20.00) for each neutered/spayed dog and forty dollars ($40.00) for each non-neutered/non-spayed dog.~~ recommended by the city clerk's office and approved by the city council, provided that the fee for an intact dog or cat shall be greater than that for a neutered or spayed dog or cat. The fees established under this section shall be reviewed not less than every five years.

(b) The municipal fees collected under this section shall be used for education and other services pertinent to the improved welfare of dogs and cats who reside in the city.

~~(b)~~ (c) The ~~owner or keeper~~ guardian of a neutered/spayed dog that serves as the person's service animal under the Americans with Disabilities Act may request waiver of the municipal license fee (but not the state fee) by providing to the city clerk's office adequate responses to the following questions in writing:

- Is the dog a service animal required because of a disability?
- What work or task has the dog been trained to perform?

(Ord. of 6-23-97; Ord. of 6-25-01; Ord. of 6-4-07, eff. 7-4-07; Ord. of 2-16-21)

State law reference—Similar provisions, 20 V.S.A. § 3581.

5-~~17~~18 Removal of dog waste required.

The ~~owner, keeper~~ guardian or person in control of any dog or cat shall be responsible for the removal of any defecation deposited by such dog or cat on any public or private property.

(Ord. of 6-23-97)

5-~~18~~19—5-23 Reserved.

Discussion

The title of Article II is revised to reflect the recommended addition of cats to specified sections of the Article.

Section 5-13

Section 5-13 adds a definition of "cat" and updates the definition of "guardian" accordingly.

Section 5-14

Section 5-14 is a new section that requires dogs and cats to wear identification that includes the name and contact information for the guardian. This requirement serves to protect companion animals, and benefits animal control efforts and public safety as well.

Rhode Island summarizes the benefits of such an ordinance in the preamble to a state law that requires identification for cats.[16] Specifically, the Rhode Island legislature determined that:

> (1) Cat identification would provide cats protection under the law, equal to that afforded dogs, by establishing ownership which, in turn, would encourage cat owners to take full responsibility for their pets' welfare.
>
> (2) [Already required in Vermont] Cat identification would protect cats, as dogs are now protected, by establishing minimum holding periods for cats released to and/or impounded by municipal animal control facilities and private animal shelters.
>
> (3) A program to require cat identification should facilitate the return of lost, owned cats.
>
> (4) Cat identification would provide a method to help distinguish between owned and unowned cat populations thus assisting animal control officers and animal shelters in carrying out their mission.
>
> (5) Cat identification would advance the reduction of the untold suffering of cats at-large in our state by helping to insure the quick return of injured and sick animals to their owners.
>
> (6) Passage of this bill would reduce the number of unowned cats and increase education to owners as to the need for sterilization of cats, thereby reducing unwanted litters, eliminating cat over-population problems, and reducing the costs to cities and towns for euthanizing at-large or unowned cats.
>
> (7) Cat identification would help support public health and safety in the control of rabies.[17]

These same public purposes are advanced when dogs are required to wear identification.

Section 5-15

Section 5-15 as currently written prohibits at-large dogs. The proposed amendment includes cats in this prohibition. The Task Force recognizes that this recommendation falls outside the scope of its mandate but considers the amendment necessary for the welfare of cats, the protection of wildlife, and public safety. The American Veterinary Medical Association ("AVMA") provides a Model Dog and Cat Control Ordinance that requires all dogs and cats "be kept under restraint" for these very reasons.[18] A number of municipalities

[16] R.I. Gen. Laws § 4-22-1.
[17] *Id*.
[18] American Veterinary Medical Association, "Model Dog and Cat Control Ordinance," sec. V(a), https://www.avma.org/sites/default/files/resources/Model-Dog-Cat-Control-Ord-Policy.pdf; American Veterinary Medical Association, "Free-roaming, owned cats," https://www.avma.org/resources-tools/avma-policies/free-roaming-owned-cats.

in Vermont, for example South Burlington, Shelburne, and Stowe, have followed the AVMA's lead and prohibit at-large cats and/or include at-large cats in the definition of "nuisance animal," and impose fines and/or permit their impoundment.[19]

The Welfare of Cats: As the AVMA and other authorities recognize, free-roaming cats are likely to have a reduced life span and may be exposed to injury, suffering, and death from vehicles, attacks from other animals, disease, cruel acts by humans, poisons, traps, and weather extremes.[20] Burlington's resident cats have not escaped these harms.[21]

The Protection of Wildlife: The American Bird Conservancy succinctly summarizes the detrimental and deadly impact of free-roaming cats on native species of wildlife:

> Outdoor domestic cats are a recognized threat to global biodiversity. Cats have contributed to the extinction of 63 species of birds, mammals, and reptiles in the wild and continue to adversely impact a wide variety of other species, including those at risk of extinction, such as Piping Plover ...The ecological dangers are so critical that the International Union for Conservation of Nature (IUCN) lists domestic cats as one of the world's worst non-native invasive species.[22]

In the United States, it is estimated that outdoor cats kill approximately 2.4 billion birds every year, earning the distinction of the number-one direct, human-caused threat to birds.[23] Between 6.9 to 20.7 billion small mammals are killed by cats each year, and researchers

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[19] South Burlington, Vermont, "Care & Control of Dogs & Cats Ordinance," Town Ordinance, Vol. 1, pg. 159-165, sec. 3, https://cms6.revize.com/revize/southburlington/document_center/city%20regulations/Care_and_Control_of_Dogs_and_Cats_Ordinance.pdf; Town of Shelburne, "An Ordinance for the Care and Control of Animals," Town Ordinance, Vol. 1, pg. 3-32, sec. 2(g) and sec. 4(a), https://www.shelburnevt.org/DocumentCenter/View/103/Animal-Control-Ordinance; Town of Stowe, Vermont, "Animal Control Ordinance," Municipal Code, Chapter 2, Article III, https://www.townofstowevt.org/vertical/Sites/%7B97FA91EA-60A3-4AC6-8466-F386C5AE9012%7D/uploads/Animal_Control_Ordinance_Final_2015_SIGNED.pdf.

[20] *E.g.* AVMA, "Free-roaming, owned cats," *supra*, n. 1.

[21] *E.g.*, New England Cable News, "Boy Cited After Allegedly Hanging Cat From Tree in Burlington, Vermont," Nov. 17, 2016, https://www.necn.com/news/local/vermont/boy-cited-after-allegedly-hanging-cat-from-tree-in-burlington-vermont/41056/; Burlington Vermont Police Department Incident Reports document an instance in which a cat was injured in a leghold trap and left to stagger off and suffer after their release.

[22] American Bird Conservancy, "Indoor Cats," https://abcbirds.org/program/cats-indoors/cats-and-birds/ (also providing links to scientific literature on the issue); *see also*, Wildlife Center of Virginia, "Untamed - The Case for Indoor Cats. https://vermont.pbslearningmedia.org/resource/case-for-indoor-cats-video/untamed-the-wildlife-center-of-virginia/ (also addressing the welfare of cats, zoonotic diseases, and ways to transition free-roaming cats to the indoors).

[23] *Id.*, American Bird Conservatory.

believe that between 258 to 822 million reptiles and 95 to 299 million amphibians may suffer the same fate.[24]

Burlington is an environmentally conscious community, and the Task Force suggests that a prohibition on free-roaming cats is simply good environmental stewardship.

Public Safety: The scientific literature documents that free-roaming cats pose a significant threat to public health because they can carry and transmit a number of zoonotic viruses, bacteria, and parasites, such as rabies and toxoplasmosis.[25] Notably, according to Peter Marra, a professor of biology and the environment at Georgetown University, "[d]ogs used to be the primary way humans picked up rabies from domestic animals … [b]ut we started licensing dogs and requiring leash laws and rabies vaccines. Now, dogs are not the problem at all—it's primarily cats."[26]

The Task Force recommends that the city prohibit free-roaming cats for the reasons stated herein.

Section 5-16

Section 5-16 extends the requirement for a license to cats. Such requirements have been shown to improve the welfare of cats, increase public safety, and enhance the quality of life in their communities, much like the identification requirements discussed above. Municipalities across the country have implemented cat-licensing requirements, including jurisdictions in Vermont such as South Burlington and Shelburne.[27]

The Task Force recommends that the city require licenses for cats for the reasons stated herein.

Section 5-17

[24] Smithsonian Magazine, "Feral Cats Kill Billions of Small Critters Each Year," Jan. 29, 2013, https://www.smithsonianmag.com/science-nature/feral-cats-kill-billions-of-small-critters-each-year-7814590/#:~:text=Based%20upon%20data%20taken%20from,needed%20to%20verify%20those%20extrapolations

[25] *E.g.*, R. W. Gerhold and D. A. Jessup, "Zoonotic Diseases Associated with Free-Roaming Cats," Zoonosis and Pubic Health, 2012, https://abcbirds.org/wp-content/uploads/2015/07/Gerhold-and-Jessup-2012-Zoonotic-diseases-and-free-roaming-cats.pdf.

[26] Kristine Liao, "Outdoor cats are deadly—and not just for birds and squirrels," Popular Science, May 31, 2022, https://www.popsci.com/environment/outdoor-cats-spread-diseases/.

[27] South Burlington Town Ordinance, *supra* n. 4, sec. 4(A); Town of Shelburne Ordinance, *supra* n. 4, sec. 12(a).

Section 5-17 requires fees for dog and cat licenses to be reviewed no less frequently than every five years, and for the revenue to be used for education and other services pertinent to the improved welfare of dogs and cats who reside in the city. Anecdotal evidence suggests that more residents will comply with the licensing requirement if the fees are used to provide companion animal-related services.

Adequate low-cost spay/neuter options

There is consensus among those knowledgeable about companion animal overpopulation that communities must take the important step to provide adequate safe, affordable, voluntary spay/neuter programs that are readily accessible to the community, and that focus on education and incentives to encourage participation by those sectors of the community most in need of the service.[28]

The Humane Society of Chittenden County's (HSCC) Community Pet Clinic provides a low-cost spay and neuter service and administers a fund to assist residents who cannot afford the service.[29] Task Force member Nina Hurley, who serves on the HSCC's Board of Directors, advises that the clinic is at capacity. The Task Force recommends that the City consult with the HSCC to assess whether the City should provide support to the clinic and/or establish an additional, independent spay/neuter program.

[28] *See, e.g.*, American Society for the Prevention of Cruelty to Animals, "Position Statement on Mandatory Spay/Neuter Laws," https://www.aspca.org/about-us/aspca-policy-and-position-statements/position-statement-mandatory-spayneuter-laws#:~:text=ASPCA%20Position,means%20to%20reduce%20shelter%20intake.

[29] Humane Society of Chittenden County, "Spay-Neuter at the Community Pet Clinic," https://www.hsccvt.org/SNClinic.

Proposed Amendments to Article III of Chapter 5

The Task Force's recommended amendments are inserted and underlined, and text that would be eliminated is indicated by strikethroughs.

ARTICLE III. ENFORCEMENT AND IMPOUNDMENT

5-24 Penalties.

An offense of any provision of this chapter by any person shall be deemed a civil ordinance violation and shall be punishable by the following penalties:

(1) *First offense.* A first offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of no less than ~~one~~ two hundred dollars ($~~1~~ 200.00) and no more than ~~one~~ two hundred fifty dollars ($~~1~~250.00). The waiver fine shall be ~~one~~ two hundred dollars ($~~1~~ 200.00).

(2) *Second offense.* A second offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of no less than ~~one~~ two hundred fifty dollars ($~~1~~250.00) and no more than ~~two~~ three hundred fifty dollars ($~~2~~350.00). The waiver fine shall be ~~one~~ two hundred fifty dollars ($~~1~~250.00).

(3) *Third and subsequent offenses.* A third or subsequent offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of no less than ~~two~~ three hundred fifty dollars ($~~2~~350.00) and no more than ~~five~~ six hundred dollars ($~~5~~600.00). The waiver fine shall be ~~two~~ three hundred fifty dollars ($~~2~~50.00).

In addition to the penalties provided in this section~~,~~:

(1) Any person found in violation of this chapter may be subject to a restorative justice process with the Burlington Community Justice Center at the discretion of the animal control committee.
(2) ~~a~~Any animal found in violation of this chapter may be impounded as provided in section 5-25 of this chapter.

(Ord. of 6-23-97; Ord. of 6-4-07, eff. 7-4-07)

5-25 Impoundment.

(a) *Authority to impound.* ~~Dogs~~ Any animal in violation of any provision of this chapter or suspected of being diseased or injured may be taken by the enforcement officer and impounded in the city ~~pound~~ animal shelter and there confined in a humane manner, except that any animal suspected of being a stray shall be impounded. ~~The enforcement officer may, in lieu of boarding and when in the public interest and consistent with the public safety, allow an impounded dog to remain confined in the custody of its owner on the owner's recognizance that the dog shall remain confined to the owner's property, follow the terms of impoundment set by the enforcement officer and shall not be in violation of any provision of this chapter.~~

~~Confinement in lieu of boarding shall continue until such time as the violation or condition authorizing impoundment has been abated~~.

(b) *Impoundment fees.* Any ~~dog~~ animal impounded under the provisions of this chapter shall be released only on payment of a ~~seventy-five~~ one hundred dollar~~s~~ ($~~75~~100.00) impoundment fee.

(c) *Boarding fee.* In addition to the impoundment fee charged herein there shall be an additional charge of ~~ten dollars ($10.00)~~ actual expenses ~~per day~~ for board for ~~each day~~ the period that the ~~dog~~ animal is impounded~~,~~. ~~except that if an animal is claimed up to three (3) hours after impoundment, the owner will be responsible for one-half (1/2) day's boarding fee. If an animal is claimed within two (2) hours of opening business hours on the following business day, the owner will not be charged for that day's boarding fee.~~

(d) *City clerk to collect fees before releasing ~~dog~~ animal.* It shall be the duty of the city clerk to collect all impound and boarding fees before releasing an ~~dog~~ animal.

(e) *Unlicensed dogs and cats to be licensed before release.* If an impounded dog or cat is unlicensed, in addition to the impound~~ing~~ment and boarding fees set forth herein, the dog or cat shall not be released without the payment of the license fee required by section 5-17, except that if the impounded dog or cat has not had its proper vaccinations to be registered a ~~forty-five~~ one hundred dollar ($~~45~~100.00) cash deposit shall be posted with the city clerk or ~~his or her~~ their designated agent(s) until proof of registration is presented. A dog or cat released under cash deposit shall be registered within two (2) working days after ~~its~~ release. If the dog or cat is not registered within the time period set forth herein, the cash deposit shall be forfeited and the ~~owner~~ guardian of the animal shall be subject to additional penalties under the provisions of 20 V.S.A. Chapter 193

(f) *Disposition of unredeemed ~~dogs~~ animals.* If any impounded ~~dog~~ animal ~~with a current and effective license established by proof of a dog license tag,~~ is not redeemed within (7) days of ~~its~~ impoundment, ~~it~~ the animal shall be ~~sold or given away~~ offered for adoption at the city animal shelter or transferred to a cooperating animal shelter as defined in 20 V.S.A. § 3901. ~~If any impounded dog without a current and effective license established by proof of a dog license tag, is not redeemed within (5) days of its impoundment, it shall be sold or given away. Any proceeds from the sale of any impounded dog shall first be allocated to taxes, fees and other charges related to the impoundment. Any balance then remaining shall be paid to the owner if any is found. If proceeds from the sale of the unredeemed dog do not cover the costs associated with the impoundment, the balance of sums owed under this chapter may be collected in a civil action brought under this section.~~ If any unredeemed ~~dog~~ animal is not ~~sold or given away~~ adopted because of disease, temperament or other cause, it shall be ~~destroyed in a humane way~~ euthanized. The impoundment period may be waived by the ~~poundkeeper~~ director of the animal shelter in the case of a severely injured animal whose ~~owner~~ guardian cannot be located or is unwilling to claim the animal.

(g) *Interference with impoundment.* Any person who interferes with the impounding of an ~~dog~~ animal under provisions of this article or releases, or who attempts to release~~,~~ an impounded ~~dog~~ animal contrary to this article shall be in violation of this chapter.

(h) *Notice of impoundment.* Within twenty-four (24) hours of the impoundment of any ~~dog~~ animal under this chapter, the enforcement officer shall make every reasonable attempt to notify the ~~owner~~ guardian of the impounded ~~dog~~ animal of such impoundment. Such notice shall include either personal contact with the ~~owner~~ guardian or a written notice posted at the dwelling house of the ~~owner~~ guardian.

(Ord. of 6-23-97; Ord. of 6-4-07, eff. 7-4-07)

State law reference—Notice by impounder, 20 V.S.A. § 3413.

5-26 Cruelty.

Any person who shall torture, torment or cruelly neglect to provide with necessary sustenance or shelter, or shall cruelly beat or needlessly mutilate or illegally kill any animal, or any person who shall cause any animal to be tortured, tormented, or fight with other animals, or deprived of necessary sustenance or to be cruelly beaten or needlessly mutilated or illegally killed shall be guilty of a misdemeanor offense and shall be punishable by a fine of from ~~one~~ three hundred dollars ($~~1~~300.00) to ~~five~~ six hundred dollars ($~~5~~600.00).

(Ord. of 6-23-97)

5-27 Animal control committee.

(a) *Animal control committee established.* For purposes of this section, an animal control committee is established. The animal control committee will be a subcommittee of the Burlington Police Commission and shall consist of three (3) commission members, one (1) licensed veterinarian, and (1) certified animal behavior professional to be appointed on an as needed basis by the chair of the Burlington Police Commission. The designated animal control officer shall be the prosecuting officer for any violation brought before the committee.

(b) *~~Vicious~~ Dangerous dogs.* Upon written complaint by a city resident that a dog is alleged to be ~~vicious~~ dangerous as defined in section 5-13~~(e)~~, the animal control committee may hold a hearing on the facts of the complaint and, if the dog is found to be ~~vicious~~ dangerous, make such order as necessary to protect the public. Such order may include, but is not limited to, any of the following: confinement in a secure enclosure or other similar restriction, muzzling adoption, or ~~destruction in a humane manner~~ euthanasia. In addition, the animal control committee may revoke the privilege of any ~~owner~~ guardian to keep, harbor or have custody of any animals while in the city and that no new privileges be granted.

(c) *Repeated impoundment.* In the event that any dog shall be impounded three (3) or more times in a twelve-month period, the animal control committee may, at the request of an enforcement officer, or in their discretion, hold a hearing after which they may make such order as is necessary to protect the public. Such order may include, but is not limited to, any of the following: confinement in a secure enclosure or other similar restriction, muzzling adoption, or ~~destruction in a humane manner~~ euthanasia. In addition, the animal control committee may revoke the privilege of any ~~owner~~ guardian to keep, harbor or have custody of any animals while in the city and that no new privileges be granted.

(d) *Penalty for violation of orders.* Any person who violates any provision of any order of the animal control committee shall be guilty of a misdemeanor offense and shall be punishable by a fine of from ~~one~~ three hundred dollars ($~~1~~300.00) to ~~five~~ six hundred dollars ($~~5~~600.00).

(Ord. of 6-23-97; Ord. of 8-14-00)

5-28 Confinement of animals in vehicles.

(a) A person shall not leave an animal unattended in a standing or parked motor vehicle in a manner that would endanger the health or safety of the animal.

(b) Any ~~humane~~ animal control officer, law enforcement officer, or member of a fire and rescue service may use reasonable force to remove any such animal from a motor vehicle. The officer may not be subject to criminal or civil liability for any damage resulting from actions taken under subsection (a) of this section. If the aforementioned officers are unavailable, a person who forcibly enters a motor vehicle for actions taken under subsection (a) of this section shall not be subject to criminal or civil liability for damage resulting from the forcible entry if the person: (1) determines the motor vehicle is locked or there is otherwise no reasonable method for the animal to exit the vehicle; (2) reasonably and in good faith believes that forcible entry into the motor vehicle is necessary because the animal is in imminent danger of harm; (3) notifies a humane officer, law enforcement officer, or member of a fire and rescue service prior to forcibly entering the vehicle; (4) remains with the animal in a safe location reasonably close to the motor vehicle until a humane officer, law enforcement officer, or member of a fire and rescue service arrives; (5) places a notice on the vehicle that the authorities have been notified and specifying the location of the animal; and (6) uses no more force to enter the vehicle and remove the animal than necessary under the circumstances. ~~The~~ An officer shall deliver the animal to a humane society, veterinarian or the city ~~town or municipal pound~~ animal shelter. If the ~~owner~~ guardian of the animal cannot be found, the officer shall place a written notice in the vehicle, bearing the name of the officer and the ~~department and~~ address where the animal may be claimed. The ~~owner~~ guardian shall be liable for reasonable expenses associated with the removal, delivery, boarding and disposition of the animal and a lien may be placed on the animal for these expenses. (c) A violation of this section shall be a civil violation subject to the penalties imposed by Section 5-24.

5-29 Abandonment of injured animal

(a) A person shall not leave the scene of an accident in which such person has reason to believe that they have caused the injury or death of a domestic animal. Such person shall immediately contact an enforcement officer, and make a reasonable effort to immediately contact the guardian of the animal. If the animal is injured wildlife, the person shall contact a humane officer or a licensed wildlife rehabilitator for assistance.

(b) A violation of this section shall be a civil violation subject to the penalties imposed by Section 5-24.

Discussion

Section 5-24

Section 5-24 increases penalties for civil violations of the Chapter 5 and adds restorative justice measures as permissible additional penalties.

Section 5-25

Section 5-25(a) extends the authority to impound to any animal in violation of the chapter or suspected of being diseased or injured, and requires impoundment of any animal suspected of being a stray.

Section 5-25(b) increases the impoundment fee.

Section 5-25(c) replaces the specified boarding fee with the requirement that the fee reflect actual expenses.

Section 5-25(d) extends the city clerk's authority to collect impoundment and boarding fees regardless of the species involved.

Section 5-25(e) requires unlicensed cats, as well as dogs, to be licensed before release.

Section 5-25(f) removes the authority to sell or give away unredeemed animals and replaces it with the authority to offer these animals for adoption through a shelter.

Sections 5-25(g) and (h) extend the prohibition on interference with impoundment and the requirement for notice of impoundment to all animals regardless of species.

Section 5-26

Section 5-26 increases the fines for cruelty to animals.

Section 5-27

Section 5-27(a) adds a licensed veterinarian and a certified animal behavior professional to the animal control committee to be appointed to serve on an as-needed basis. This will ensure that the committee has access to the expertise needed to properly resolve the cases that come before it, such as dangerous dog hearings.

Section 5-27(d) increases the penalty for violations of an order of the animal control committee.

Section 5-28

Section 5-28 authorizes any person to use reasonable force to remove an animal from a vehicle when the health and safety of the animal is at risk, but only when a humane officer, law enforcement officer, or member of a fire and rescue service is unavailable. The Task Force views this amendment as necessary to address situations in which the animal may be in distress and officials are not immediately available. The language of the amendment tracks the language of the similar state law.

Section 5-29

Section 5-29 is a new section that requires a person who has injured or caused the death of an animal to remain at the scene and to contact an enforcement officer. It further requires such person to make a reasonable effort to contact the animal's guardian should it appear that the animal has a guardian, and to contact a humane officer or wildlife rehabilitator if the animal is injured wildlife.

Proposed Amendments to Section 22-13 of Chapter 22

The Task Force's recommended amendments are inserted and underlined, and text that would be eliminated is indicated by strikethroughs.

Chapter 22 - Sec. 22-13. - Animals prohibited; exception

No domestic animals, except dogs and cats, shall be permitted in any park. Dogs shall be leashed or controlled by other similar means of physical restraint at all times, except in off-leash areas designated in the Off-Leash Dog Policy. Cats shall be leashed or confined in a carrier at all times.

Discussion

Section 22-13

If Chapter 5, Article II, section 5-15 is amended to prohibit at-large cats, as recommended, section 22-13 would provide an alternative means for guardians to provide an outdoor experience for the cats under their care.

Appendix D: Detailed Licensing Information

Licensing Program: The Task Force performed a detailed review of licensing data and trends and found that licensing rates in Burlington are low compared to neighboring cities with smaller populations. In 2022, for example, Shelburne was estimated to have a population of 7871, with 763 licensed dogs (9.68%) in FY2022. Burlington, by comparison, was estimated to have a population of 44,595 and 912 licensed dogs (2.04%) — a difference of 7.64%.

The Task Force also compared licensing trends over time in Burlington. In 2012, Burlington had 1255 dogs licensed, while in 2022 it was only 826 despite the fact that the population in Burlington has increased over that time, from 42671 to 44595[30].

The American Veterinary Medical Association (AVMA) tracks dog guardianship trends[31] and estimates that 45% of US households have at least 1 dog, and the percentage owning at least one dog increased from 38% to 45% between 2016 and 2020 (and leveled off by 2022). Home ownership and household income impact the rate of dog guardianship and dog populations are essentially being influenced by the overall economy. With 17,174 households in Burlington between 2017-2021[32], the number of dogs in Burlington may be estimated at 7728 using the national rate of 45%. This is likely to be a conservative estimate, as many Burlington homes have more than one dog.

The AVMA also indicates that cat guardianship is on the rise as well: "The percentage of households that own at least one cat increased slightly between 2016 and 2020, from 25% to 26%, and then increased to 29% in 2022." Based on this, we estimate that there may be at least 4980 companion cats in Burlington (not including feral cat colonies).

If all estimated cats and dogs in Burlington were licensed, the revenues at current licensing fee of $27 per dog would be $276,996.51 per fiscal year. Assuming 100% is unattainable, we looked at how much could be raised if we made an effort to increase licensing numbers similar to area communities such as South Burlington.

[30] 2012 and 2022 population estimates for the City of Burlington, VT came from census.gov
[31] https://www.avma.org/news/pet-ownership-rate-stabilizes-spending-increases
[32] https://www.census.gov/quickfacts/fact/table/burlingtoncityvermont/HSD410221#HSD410221

Table 2. Comparison of FY2022 Actual Licensing Revenues in Burlington to Projected increased revenues from increasing licensing numbers, based on the estimated numbers of dogs and cats in Burlington.

	Projected revenues from successfully licensing 100% dogs and cats	Projected revenues from licensing 35% dogs 15% cats ("realistic")*	FY 2022 Revenues from Dog Licenses (11.8% dogs and 0% cats)	Projected Revenue increase ("realistic")
Dogs (7728)	$ 208,664.10	$ 74,180.09	$ 24,624.00	$ 49,556.09
Cats (3927)	$ 68,332.41	$ 20,614.62	$ 0.00	$ 20,614.6
Total $	$ 276,996.51	$ 94,794.71	$ 24,624.00	$ 70,170.71

**South Burlington has an estimated 35% licensing rate for dogs and 15% licensing rate for cats*

Below is more detailed information on licensing trends in neighboring cities from FY2018 – FY2022, showing how Burlington's numbers have decreased compared to those of neighboring cities. We also show licensing numbers in comparison to population estimates and estimated numbers of dogs and cats, as well as detailed information on neighboring communities' efforts to increase education/outreach concerning dog and cat licensing.

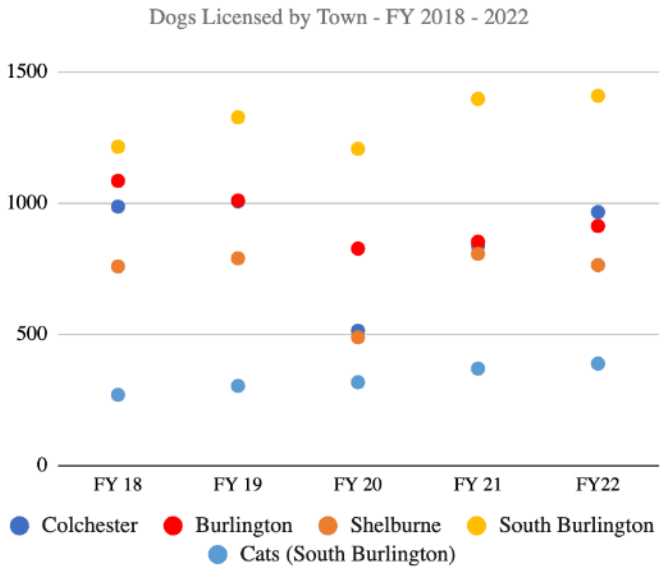

Fig. 2 Burlington's licensing numbers have fallen while its population has increased.

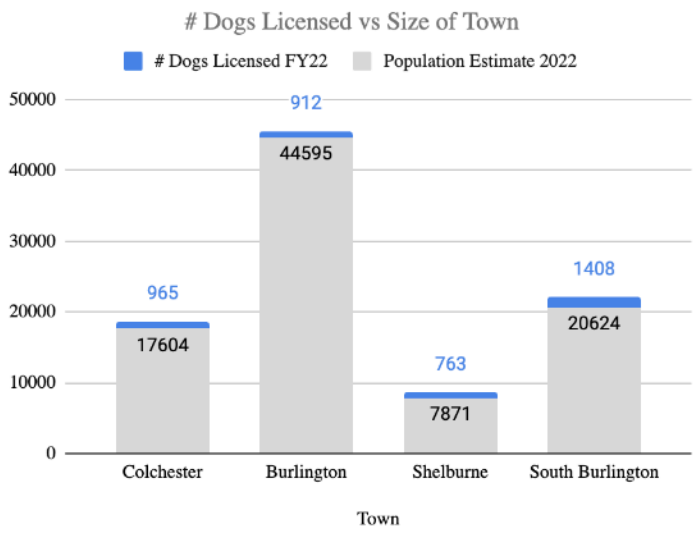

Fig. 3 Comparison of Licensing Numbers to Town Size. In FY 2022 Burlington had the lowest proportion of licenses (912) to its population (44,595), compared to neighboring towns. Shelburne had the highest (9.69%), followed by South Burlington (6.83%) and Colchester (5.48%).

Appendix E: Compliance, Reporting, and Enforcement Challenges

The Task Force recommends the City appoint a dedicated, certified animal control officer, or officers, within the Burlington Police Department ("BPD"). Burlington has not had an Animal Control Officer since 2008[33]. Currently, limited animal control functions are performed by the community service officers (CSOs) at the BPD. CSOs are not required to have experience or training specific to animal control functions, such as animal handling, care, and welfare.[34] They are not tasked with handling cat-related incidents (except for removing deceased cats and checking for rabies vectors), and are not adequately able to address the increasing number of dog incidents. For example, residents who are bitten by an unfamiliar dog bear the burden of identifying the guardian of that dog in order to get any action from the police, even if that person fled the scene. Without investigative resources and training, CSOs are not positioned to be a resource to help those residents.

Another issue the Task Force found was in both a lack of accessibility to effective reporting, and an understanding of how and what to report:

- *Inaccessibility of reporting.*
    - *Phone limitation for in-progress incidents.* Reports are typically called into the Police Department. If any other means of reporting is used (contacting CSO email address (cso@bpdvt.org), See Click Fix, Burlington Police website's online incident report form), the CSOs might not see these as quickly as they would if they are managed by Dispatch responding to a phone call. Thus reporting an emergent animal issue or incident is inaccessible to anyone who cannot use a phone (hearing impaired, Deaf, doesn't have a phone, etc).
    - No clear category for animal-related incidents exists on the BPD website
    - No clear category for animal-related incidents exists on See Click Fix, which is commonly used by residents to enable other city departments to quickly resolve issues.
- *Reports not made by residents because*
    - Fear of getting neighbors in trouble

[33] *Source:* Shannon Trammell, executive manager, Burlington Police Dept
[34] *See* City of Burlington, Community Service Officer Job Description, https://www.governmentjobs.com/careers/burlingtonvt/jobs/3045625/community-service-officer..

    - Distrust that the police can help or can be a resource to help
    - Lack of awareness of where to complain
    - Knowledge that currently BPD is not fully empowered to address these problems to residents' satisfaction (for example, incidents involving free-roaming cats are not currently addressed by BPD).
- *Hindrances to enforcement responsiveness.*
    - *Other (higher) priorities.* Other issues are prioritized for CSOs (e.g., car accidents), so even if the report is called in to be dispatched, they are still not always able to respond quickly. 62 reports were reported resolved with the response "gone on arrival"
    - *Not enough information.* Residents who do report issues don't always provide enough information or details for CSOs to be able to follow through and resolve the problem.
    - *Lack of investigative resources.* Residents who are bitten by an unfamiliar dog or cat bear the burden of identifying the guardian of that dog in order to get any action from the police, even if that person, cat or dog fled the scene. The Task Force learned from its BPD representative that BPD is not empowered to take the time and resources to find the guardian if the name and address are not known to the victim.
    - *Legal limitations.* Some problems or incidents that are reported by residents cannot be addressed by CSOs because the issue being reported (e.g., a welfare issue) may not actually comprise an ordinance violation, or because the individual responsible doesn't answer the door to respond to the CSO.

The Task Force recommends that the city retain an officer, or officers, whose sole duty is to respond to animal-related issues so that the city's animals and citizens are better served. The Task Force recommends that City animal control officers obtain certification in animal control and be required to participate in continuing education courses, through a national professional training program. In looking at available literature, Burlington is now of the size that it merits a full time animal control officer. The Task Force notes that some residents do not contact the Burlington Police Department as they may not be aware this is where complaints go, free-roaming cats are not addressed, and that people may not be

comfortable with calling the police with concerns about their neighbors or may be reluctant to report incidents. Please see additional discussion under the ordinance for Section 5-2a

In addition to the recommendation of a full-time animal control officer or officers, at times the City is not in compliance with the requirement to house stray companion animals due to space issues. Currently companion animals except birds, reptiles, and dogs are taken to the Humane Society of Chittenden County (HSCC). It is unclear if the City's current contractor for dogs, Lucky Puppies, will provide services in the future or have enough space in the future for the City's stray dogs. Because the HSCC and Lucky Puppies take in companion animals from other cities as well, space is an issue. The Task Force recommends that an animal shelter be within Burlington or close so that the shelter may be easily monitored and inspected by the Animal Control Officer.

The Task Force also recommends that the animal shelter follows the standards of care[35] set forth by the Association of Shelter Veterinarians. These standards include provisions of adequate shelter, population management, standards for animal handling, sanitation, prevention of pathogen spread, and attention to medical and behavioral health. Given that the City would be responsible for animals in its care, if the City does not have its own shelter it should still ensure that contracted providers follow these guidelines.

[35] The Association of Shelter Veterinarians' Guidelines to Standards of Care in Animal Shelters - Second Edition - December 2022: https://jsmcah.org/index.php/jasv/issue/view/2

Appendix F: Proposed Off-Leash Dog Ordinance and Off-Leash Dog Policy

Proposed Addition of Section 7 to City Ordinance Appendix D

In 2000 the City established a pilot program pertaining to off-leash dog areas that expired in 2003 with no apparent further action by the City.[36] The Task Force recommends that a new Section 7 of Appendix D be enacted to reflect current practices:

Appendix D

Sec. 7. - Off-leash dog opportunities

(A) *Off-Leash Dog Policy.* The Parks, Recreation and Waterfront Department (PRW) shall maintain an Off-Leash Dog Policy (OLDP) as approved by the Parks Commission. The policy may be modified by PRW with the approval of the Parks Commission. The OLDP shall govern the establishment of off-leash dog opportunities, except that permanent fenced dog parks shall be established by ordinance. The OLDP shall govern operations of off-leash dog opportunities and share enforcement authority with the animal control officer(s) as enumerated in this section.

(B) *Designation of Areas.* Areas shall be designated for the purpose of allowing dogs to be under control of the guardian or guardian's agent by means other than physical restraint. Opportunities shall include: fenced dog parks, water access, and field use on an hourly, seasonal, or year-round basis within reasonable walking distance of neighborhoods. Opportunities, where possible, shall be dispersed across the city. .

(1) Permanent off-leash fenced dog parks shall be located at:
    (a) Oakledge Park
    (b) Starr Farm Dog Park
    (c) Urban Reserve

(2) Off-leash dogs are prohibited at the following parks. Dogs in these parks must be leashed at all times:
    (a) Appletree Park
    (b) Arms Park
    (c) Baird Park
    (d) Battery Park
    (e) Bike path
    (f) Champlain Street Park
    (g) City Hall Park
    (h) Dewey Park
    (i) Ethan Allen Park

[36] City of Burlington, Vermont, Ord. of 9-23-02 https://www.codepublishing.com/VT/Burlington/#!/BurlingtonAxD/BurlingtonAxD.html (Pilot program. The rules of this section shall be in full force and effect for eighteen (18) months. The director of parks and recreation shall review the impacts of the designated off-leash areas and shall make a report to the city council after twelve (12) months of operation. Unless directed otherwise by the city council, these rules shall expire upon the end of the 18th month in which the rules were in effect.)

(j) Kieslich Park except for the portion known as "Texaco Beach"
(k) Lakeside Park
(l) Little Park
(m) MacKenzie Park
(n) North Beach
(o) Pomeroy Park
(p) Potvin Park
(q) Roosevelt Park
(r) Schifilliti Park
(s) Starr Farm Park except for the portion known as "Starr Farm Dog Park"
(t) Water Works Park
(u) Waterfront Park

(C) Public Information.

(1) PRW shall provide information about off-leash dog opportunities to include maps, hours, and references to rules & policies with onsite signage and through its website.
(2) PRW shall annually conduct a targeted campaign to educate the community about the City ordinances that pertain to off-leash dogs in general, and the the off-leash dog opportunities and associated rules and policies..
(3) Funds to implement Section C shall be made available to PRW from the fees collected pursuant to Article II Section 5-17.

(D) General Rules for All Areas Designated as Off-Leash Dog Areas.

(1) A person taking a dog into an off-leash area shall have the dog held on leash when entering and exiting the off-leash area.
(2) A person taking a dog into an off-leash area shall maintain voice, hand, or leash control over the dog at all times while the dog is in the off-leash area. Such person shall have in their possession a leash at all times.
(3) A person taking a dog into an off-leash area is responsible for all actions of the dog, shall keep the dog within their vision at all times, and shall remove the dog when their behavior is in violation of the City of Burlington Code of Ordinances, including but not limited to Appendix D Secion 7, or the PRW OLDP.
(4) The following are prohibited in off-leash dog areas:
    (a) Glass containers.
    (b) Female dogs in heat.
    (c) Excessive barking, howling, or other noise.
    (d) Bullying of other dogs.
    (e) Failure to remove feces; All feces shall be removed from the off-leash area and placed in the appropriate receptacle.
    (f) Unlicensed dogs; All dogs shall be licensed and display valid license tags.
    (g) Dangerous dogs as defined by Burlington Code of Ordinances, Article II, Section 5-13.
    (h) More than 3 dogs per person.
    (i) Children under 12 years of age unaccompanied by an adult.

(E) Enforcement.

(1) In addition to the penalties provided for by ordinance, a person or dog that violates the rules of this section is subject to ejection from the off-leash area as defined in the OLDP.

(2) In addition to the penalties provided for by ordinance, a duly authorized enforcement officer may impound a dog for a violation of the rules of this section or for activities determined to be a nuisance.
(3) In addition to the penalties provided for by ordinance, all violations of Appendix D and the OLDP include a restorative justice process with the Burlington Community Justice Center.

(F) Administration.

(1) Commercial Use of Parks. The PRW may issue a permit and charge a fee to allow for commercial use of off-leash dog areas by professional trainers, and for-profit and not-for-profit animal organizations. Portions of the off-leash dog areas shall remain available for unencumbered use by the public as off-leash areas during these events. Fees collected by PRW for commercial use shall be used for the establishment, operations, or improvements of designated off-leash dog areas. Commercial use of off-leash dog areas without a permit shall result in a fine as set for in Chapter 22 section 23 of the Burlington Code of Ordinances. Commercial use of off-leash dog areas may be further defined or modified by the OLDP.

Proposed Off-Leash Dog Policy (OLDP)

The following text has been drafted by the Dog Task Force as a proposed Off-Leash Dog Policy to be reviewed by the Parks Commission, and once an official OLDP is established, to be revised by the Parks Commission as needed.

OFF-LEASH DOG POLICY

Purpose:

This policy incorporates by reference all rules set forth in Appendix D of the Burlington Code of Ordinances.

Areas of Policy:

1) *Designation of Areas and Times of Operations*
2) *Additional Rules for Use of Off-Leash Fenced Dog Areas*
3) *Rules for Commercial Use of Off-Leash Dog Areas*
4) *Signage*
5) *Public Outreach & Enforcement*
6) *Operations*

1) *Designation of Areas and Times of Operations.*
The following areas are off-leash areas, as designated herein or on site:
a) *Fenced Dog Parks*
i) *Starr Farm Park (year-round).*
Times. The designated area may be used year-round from 8:00 a.m. to 8:00 p.m. or sunset, whichever is earlier.
ii) *Urban Reserve (year-round).*
Times. The designated area is open for off-leash use at any time.

iii) *Oakledge* Park (year-round)
Times. The designated area is open for off-leash use during the hours the parking lot is open for vehicle parking.

b) *Off-Leash areas (not fenced)*

i) *North End of Leddy Beach (year-round).* The area north of the northernmost entrance to Leddy Beach
Times. The designated area is open for off-leash use at any time.

ii) *Oakledge Cove (year-round).* The area of Oakledge Park known as Oakledge Cove
Times. The designated area is open for off-leash use at any time

iii) *Northshore Natural Area (year-round)*.
Times. The designated is open for off-leash use at any time

iv) *Blanchard Beach (seasonal)*. The area of Oakledge Park known as Blanchard Beach
Times. The designated area is open for off-leash use at any time between November - March

v) *Texaco Beach (year-round)*. The beach area of Kieslich Park known as "Texaco" Beach.
Times. The designated area is open for off-leash use at any time

vi) *Lower Calahan Park (year-round).* The area of Calahan Park that is bounded on the east by the sledding hill, north by Locust Street, west by Pine Street, and south by the park/neighborhood boundary excluding programmed areas such as baseball fields, roads/walks, etc.
Times. The designated area is open for off-leash use from 6:00 a.m. to 8:00 a.m.

vii) *Open Area of Schmanska Park (year-round).* The multipurpose field of Schmanska Park extending from the basketball court to the tennis court.
Times. The designated area is open for off-leash use from 6:00 a.m. to 8:00 a.m.

viii) *Open Area of Smalley Park (year-round)*. The multipurpose field excluding the programmed softball field.
Times. The designated area is open for off-leash use from 6:00 a.m. to 8:00 a.m.

ix) *Gravel Path of the Urban Reserve* The area of the Urban Reserve that is the maintenance access running parallel to the train tracks between the designated off-leash area signs on the northern and southern ends.
Times. The designated area is open for off-leash use at any time.

2) Community Expectations for Use of Off-Leash Fenced Areas

(1) In addition to the rules set forth in Appendix D, please observe the following guidelines:
    (a) Do not allow dogs to dig holes, except in an area designated for digging by the Parks, Recreation and Waterfront Department (PRW). The person accompanying the dog shall fill in any hole created by the dog prior to exiting the area.
    (b) Do not consume human food.
    (c) Do not feed other people's dogs.
(2) All gates to the dog park must be closed after entering and exiting.
(3) The priority use for off-leash dog parks is off-leash dogs. Please ensure that children do not interfere with the activities of dogs in the park.

3) *Community Expectations for Use of Unfenced Off-Leash Areas*

In addition to the rules specified in Appendix D, please observe the following guidelines:

(1) Ensure your dog is placed back on leash after leaving an off-leash dog area.
(2) Dog guardians should be respectful of other users using the space. This is a shared space, even during the times where dogs are allowed off-leash. The priority use for these areas is not necessarily dogs.
(3) Non-dog guardians should expect dogs may be running free in designated off-leash areas.

4) *Rules for Commercial Use of Off-Leash Fenced areas*
   a) Commercial users are required to be a *Park Program* participant.
   b) Commercial users are responsible for creating any boundaries, with temporary fencing or by other temporary means, required to meet their needs and that of the other users.
   c) Commercial users are limited to twelve days per year exclusive of commercial uses that do not restrict other uses of the area.
   d) No more than one commercial user may use the same dog park concurrently.
   e) Off-leash dogs will be permitted to access any areas of the off-leash area that are not separated by temporary or permanent fencing.
   f) With the exception of extraordinary circumstances, no more than 33% of an off-leash dog area shall be permitted to be restricted for commercial use.
   g) Commercial use shall not interfere with standard entrances and exits from the off-leash dog area.
   h) If any PRW staff time is required for the event, commercial users of the park are responsible for all costs related to the staff time. PRW staff will only be made available with the approval of the PRW Director
   i) Commercial users will be responsible for all costs related to set-up, operations, security, and cleanup for all events.
   j) Standard PRW Department requirements for reserving parks apply.

5) *Public Outreach & Enforcement.*
   a) The PRW and the Police Department shall collaborate to educate and enforce the rules and policies applicable to off-leash dog areas,A person who violates any rules or policies applicable to off-leash dog areas on two (2) occasions within a twelve-month period shall be barred from taking any dog into the off-leash areas during the six (6) months subsequent to the second violation.

6) Operations
   a) The PRW shall maintain a volunteer group that provides guidance and support for off-leash areas
   b) The PRW Director may, upon a finding of need at a particular off-leash area, close the area to off-leash use. The reopening of such area is at the discretion of the Director. The Director shall post a notice indicating that the area has been closed for off-leash use at the entrance to the area and at other locations in the area if needed to give notice to the public of the closing.

Appendix G: Off-Leash Detailed Findings & Recommendations

The Task Force reviewed work from previous committees (see Appendix K) as well as current practices, ordinances and policies. The group also did a city-wide survey to solicit public opinion on areas proposed by previous committees (see Appendix I). Prior efforts to create off-leash areas were left uncompleted, as Section 7 of Appendix D in the City Ordinances expired.[37]

Table 3. Current and Proposed Off-Leash Areas for Dogs

	Current	Proposed
Off-Leash	3.5/520 acres Starr Farm Dog Park Waterfront Dog Park Texaco Beach	Add: • Sections of Neighborhood Parks (Smalley, Calahan, Schmanska) 6-8am • Sections of Natural Areas (Northshore, Urban Reserve) • Beaches (Blanchard, North Beach wintertime only; Oakledge Cove & section of Leddy Beach all year) Keep: • Starr Farm Dog Park, Waterfront Dog Park, Texaco Beach
On-Leash only (Neighborhood Park)	All Neighborhood Parks	Most Neighborhood Parks except for designated areas in Calahan, Schmanska, & Smalley Parks
On-Leash only (Conservation Area)	All Natural Areas	Same (all areas designated "Urban Wilds" - such as Arms Forest, Crescent Woods, Arthur Park, Ethan Allen Park, McKenzie Park, and Mount Cavalry Red Maple)
No Dogs Allowed	Cemeteries	Same (at the wish of Cemetery Commission)

Interactive map showing proposed off-leash areas

There is a strong desire from dog owners to have easy access to off-leash areas. More fenced in areas exclude non-dogs and their caretakers from spaces in our parks, and the City also lacks funds to build fenced in dog parks. Many communities have turned to unleashed dog areas to solve the issue of limited park spaces and the desire not to fence

[37] City of Burlington, Vermont, Ord. of 9-23-02 https://www.codepublishing.com/VT/Burlington/#!/BurlingtonAxD/BurlingtonAxD.html (Pilot program. The rules of this section shall be in full force and effect for eighteen (18) months. The director of parks and recreation shall review the impacts of the designated off-leash areas and shall make a report to the city council after twelve (12) months of operation. Unless directed otherwise by the city council, these rules shall expire upon the end of the 18th month in which the rules were in effect.)

these spaces, while providing a mechanism to better regulate and manage where dogs are off-leash and enforce regulations that they be on leash outside of off-leash areas. The question of creating unfenced off-leash dog areas elicits strong opinions both for and against.

Some neighboring cities have successfully created unfenced off-leash areas. South Burlington allows dogs to be under voice control at all parks and only requires leashes on South Burlington Recreation trails and at the following parks: Red Rocks, Vet Memorial, and Jaycee Park. Colchester's default policy is also off-leash, with dogs required on-leash only on sidewalks and the bike path. Winooski's policy is similar to Burlington's, where the default is on-leash only. But for similar reasons they are exploring the possibility of establishing another location or two where dogs can officially be allowed off-leash, then working to tighten up enforcement where it isn't allowed.

Some efforts were made to find alternative spaces to the park spaces overseen by Burlington Parks & Recreation.

- *Cemetery spaces.* The Task Force discussed the fact that some fenced in spaces in Burlington currently exist but are not available for dogs. The idea of using cemetery spaces as an urban solution is not new.[38] A proposal to work with the Cemetery Commission to consider the option of on-leash or off-leash use for dogs was unsuccessful. The Cemetery Commision heard the proposal, including the possibility of additional revenue and volunteer hands to maintain the cemeteries, but chose not to work with the Task Force to explore this concept.[39]

- *Spaces outside Burlington.* At the suggestion of City Councilmember Sarah Carpenter, [40] the Task Force looked beyond Burlington to understand what off-leash spaces were available (for those with cars who can drive). As noted above, our neighboring

[38] For example, see the Cemetery Dogs program at the Congressional Cemetery in Washington, DC - one quarter of the cemetery's operating income derives from donations by dog walking members and covers the costs of grounds maintenance contracts. Source: https://congressionalcemetery.org/dog-walking/
[39] *See* Burlington, VT Cemetery Commission meeting minutes from their April 20, 2023 meeting: https://burlingtonvt.portal.civicclerk.com/event/5294/files/7035
[40] *See* Burlington, VT City Council meeting minutes from their March 27, 2023 meeting: https://burlingtonvt.portal.civicclerk.com/event/2058/files/2159

communities of South Burlington and Colchester have much less restrictive leash laws, allowing off-leash use in their parks unless specifically restricted. In addition, South Burlington, Essex, Milton and Shelburne have fenced dog parks.

- *Former Landfill in the Old North End.* The Task Force also discussed the former landfill area at the top of Manhattan Ave. This area is currently being used by some residents as an off-leash area for dogs, but due to continued monitoring of environmental considerations cannot be officially set up for dogs at this time.

After reviewing the prior task force work, the results of the Spring 2023 survey, and consulting with the Cemetery Commission and directors of parks in neighboring towns, the Task Force recommends the following areas to the Parks Commission for piloting. More specific details are in the drafted Off-Leash Dog Policy.

Table 4. Recommended areas to pilot unfenced off-leash dog sections

Park	Time	Rationale
Smalley	6-8am	Significant requests from survey; limited use by youth in the mornings
Leddy Beach (north end)	All day	Slight in favor from survey, significant current use
Northshore	All day	Slight in favor from survey, significant current use
Calahan Park	6-8am	Slight in favor from survey, proposed area (lower field) is in a different location from the playground; significant current use
Schmanska Park	6-8am	Slight in favor, Recommended by 2013 task force, adds an area in the East end of Burlington, suggest morning only
Urban Reserve	All day	More in favor, off-leash connection to dog park and parking lot, will separate from bike path w/ clear signage on start/stop of off-leash areas
Blanchard Beach	November -March	Limited beach use in the winter.
North Beach	November -March	Limited beach use in the winter.
Oakledge Cove	All day	South end water access, helps curb existing off-leash use at Blanchard in the summer.

In addition to the above areas, the proposed fenced-in dog park in Oakledge Park was by far the most popular and most supported area with survey respondents. Future funding and significant planning would be needed to make this a reality.

Appendix H: Education Campaign

Part of the scope of the Task Force work mandated by the City Council resolution requested that Task Force members conduct an educational campaign around the following issues:

1. Off leash dogs in city parks, natural areas or beaches
2. Dogs attacking people or other dogs
3. Dog feces not being picked up
4. Dog barking contributing to noise pollution

All materials and research were developed using volunteer time and resources. Outreach was limited to available slots on the Parks Recreation and Waterfront (PRW) Front Porch Forum and social media accounts. The Task Force recommends some funding be allocated to educational outreach and that multiple city departments participate in the sharing of information on their social media accounts. The campaigns comprised of the following:

1. Leash Your Dog PSA for conservation reasons (wildlife, plants)[41]
2. Interview with Seven Days to address additional reasons for leashing your dogs (including prevent of attacks)[42]
3. April Stools Day PSA to encourage residents to pick up their dogs' feces[43]
4. Barking PSA to provide helpful tips to address barking and reduce noise pollution

The Task Force also explored the possibility of increasing licensing numbers through a limited social media drive,[44] and worked with the BPRW to create the Wag the Waterfront event.

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[41] As seen in PRW's Front Porch Forum post May 18, 2022: https://frontporchforum.com/areas/22/issues/4452#post_2786297

[42] Mullis, R. (Aug 9, 2023). One Burlingtonian's Journey to On-Leash Dog Ownership. Published in print as "Going to the Dogs | One Burlingtonian's journey to on-leash dog ownership" and online at https://www.sevendaysvt.com/arts-culture/one-burlingtonians-journey-to-on-leash-dog-ownership-38844346

[43] As seen in PRW's Front Porch Forum Post April 1, 2022: https://frontporchforum.com/areas/23/issues/5456#post_2747458

[44] Instagram reel created by task force members on volunteer time, and shared on PRW's Instagram account on March 21, 2023 to encourage residents to license their dogs and explain how to get their dogs licensed. https://www.facebook.com/reel/936523320687771

Proposed Annual Education Calendar

A proposed calendar to continue providing education on various topics was developed and is shown below, followed by details on the various public service announcements as well as the Wag the Waterfront event.

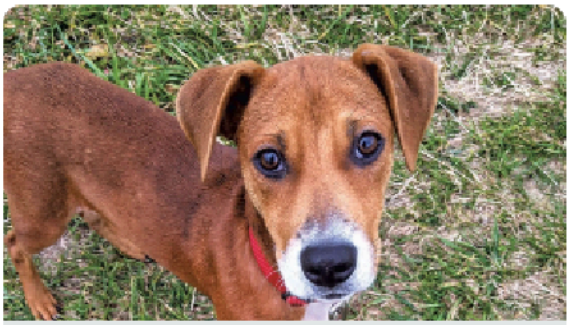
Legend:

PSA
Campaign/Drive
Event

JANUARY	FEBRUARY	MARCH
Barking PSA	Repeat Spay/Neuter PSA (February is S/N Awareness Month) Campaign/Drive: Dog Licenses Due April 1	Licensing Campaign Continues
APRIL	**MAY**	**JUNE**
Off-Leash PSA (Conservation) Picking up Poop PSA	Don't Leave Your Dog in the Car PSA Off-Leash Dog PSA (to avoid conflicts attacks)	Keep Your Dog Cool PSA Don't Leave Your Dog in the Car PSA (repeat July/Aug)
JULY	**AUGUST**	**SEPTEMBER**
Off-Leash Dog PSA (to avoid conflicts attacks) Dog Days Event *Church Street tie-in for pet friendly shopping areas or Burlington Farmer's Market on Pine St*	Off-Leash Dog PSA (to avoid conflicts attacks)	Wag the Waterfront Event
OCTOBER	**NOVEMBER**	**DECEMBER**
Halloween Parade Event? *Dog Costume Contest?*	*(a week after leaf pick up)* Poop Scoop PSA Even through winter need to scoop poop all year round	Spay/Neuter PSA

Leash Your Dog Outreach (7 Days Article)

Taskforce members Maria Karunuñgan and Abbey Duke were interviewed by journalist Rachel Mullis of Seven Days to weigh in on thoughts about off-leash dogs, resulting in the following publication in Seven Days:[45]



One Burlingtonian's Journey to On-Leash Dog Ownership
sevendaysvt.com

The take-home message in the article was to encourage residents to leash their dogs for a variety of reasons, including respect and consideration for others' cultural and religious preferences, prevention of unwanted conflict between unfamiliar dogs with unknown sociability, and generally taking more responsibility for their dogs' behavior around others.

Wag the Waterfront Event September 2023

- PRW hosted on September 9, 2023 1-4pm[46]
- Social media posts invited people to come[47]
- The event featured the following:
    - Afternoon Yappy Hour in the dog park
    - Free professional caricatures & free professional photos

[45] Mullis, R. (Aug 9, 2023). One Burlingtonian's Journey to On-Leash Dog Ownership. Published in print as "Going to the Dogs | One Burlingtonian's journey to on-leash dog ownership" and online at https://www.sevendaysvt.com/arts-culture/one-burlingtonians-journey-to-on-leash-dog-ownership-38844346
[46] *See* https://enjoyburlington.com/event/wag-the-waterfront/
[47] *See* for example https://www.instagram.com/p/Cw7iosEMae4/

- Booths rented by local dog-related businesses (daycares, groomers, dog trainers, dog treat bakeries, etc).
- Events such as dog training demos, Paws & Poses yoga, and weight-pulling

Public Service Announcements Developed by the Task Force

The following public service announcements were developed by the Task Force for several educational campaigns. Most of these were shared on social media.

Excessive Barking PSA

The Task Force wrote a public service announcement to address the complaint of excessive barking.[48] The main points of this campaign were to help raise awareness about why excessive barking is bad (pointing to upset neighbors, welfare issues, & violation of city code). Tips from a professional trainer were provided, including the recommendation to consult with a veterinarian and professional trainer if struggles continued.

Fig. 4 Barking PSA Instagram slides

Leash Your Dog PSA

The Leash Your Dog PSA released in May 2022[49] contained the following text:

> :: A MESSAGE FROM THE DOG TASK FORCE ::
>
> Protect Nature - Leash Furry Companions in Vermont's Natural Areas
>
> Spring is nature's time to restore and grow, and also nature's most fragile time. Burlington's natural areas are still in recovery from forest clearing hundreds of years ago and use this

[48] See for example the Facebook post on February 16, 2023: https://www.facebook.com/BTVParks/posts/pfbid04CsSzqckLeKfr2BHiVhVsYssx3KDYdthXt4CysmTxeATD2FNqeig9SheDXinqKhpl

[49] PRW's Front Porch Forum post May 18, 2022: https://frontporchforum.com/areas/22/issues/4452#post_2786297

time to replace and regain strength. Spring flowers have delicate stems and depend on small ground insects, like ants, to help them expand their population.

Larger, similarly tender mammals like foxes are born now through August! For these animals, reproduction takes a lot of energy and kits, pups and their parents are weaker and especially vulnerable throughout this season.

Off-leash dogs (and their owners) unknowingly break tender wildflower stems and chase or even fatally maim baby animals, setting back the tiny steps that ecosystems take each spring towards restoration.

Please walk your dog on a leash on all trails and paths throughout City and Vermont parks. Obey on-leash postings to allow Vermont's forests to regain their species diversity and to save our wildlife. To learn more about spring wildflowers and to see the cutest red fox kit photo, please see our facebook page https://www.facebook.com/BTVParks.

Scoop the Poop PSA

The Scoop the Poop PSA ("April Stools Day") released in April 2022[50] contained the following text:

On behalf of the Burlington Dog Task Force Team, we'd like to remind everyone: Scoop Your Poop!

Pet waste should be picked up promptly because it...
-> is harmful for kids playing in the dirt
-> contaminates locally grown food
-> contaminates drinking water and swimming areas
.... is gross!!!!

With the weather warming and snow finally melted, we want to encourage all dog owners to pick up their dog's poop! (and any poop you see from other dogs, even if they are not your own).

Pet waste is harmful for children playing in your local neighborhood as parasites from fecal matter can remain in the soil for years. Picking up poop can also go a long way to protecting local gardens especially if you are growing food for yourselves, and protect anyone working or playing in the dirt. In addition, please keep in mind our drinking water is affected as well! According to the Lake Champlain Committee, pet waste contributes up to one-third of bacterial pollution in waterways near developed areas. (source: https://www.lakechamplaincommittee.org/learn/news/item/2200-stool-piles-and-counting/) Bacteria from pet waste adds e-coli that can result in the closing of recreational swimming areas.

Help us protect our children's play areas, neighborhood gardens, and local swimming spots by picking up your dog's poop!

[50] PRW's Front Porch Forum Post April 1, 2022: https://frontporchforum.com/areas/23/issues/5456#post_2747458

Recommended Additional Areas of Educational Outreach

The Task Force recommends the following additional areas of education:

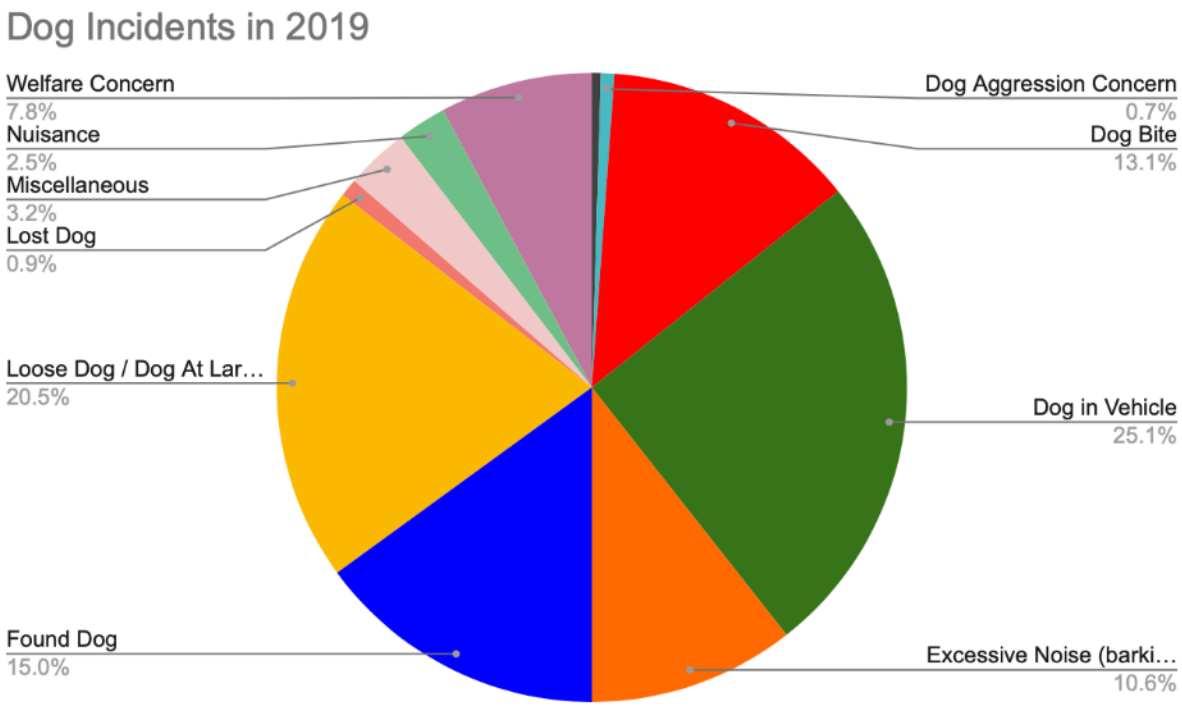
- Education on preventing dog attacks & conflicts with other dogs & people
- Resource for new arrivals (either new residents of Burlington who have dogs, or current residents who get a new dog)
- How/when to report incidents & what information is helpful
- Guidelines for behavior of dogs in designated off-leash areas
- Education/information that can be distributed on the cards that accompany dog license tags
- Curriculum for community justice center, should a restorative justice approach be adopted for resolving violations of dog policies & ordinances.
- Low-cost spay/neuter outreach

Appendix I: Data Summaries (Police Incident Reports, Off-Leash Survey)

The Task Force analyzed animal incident reports provided by the Burlington Police Department (BPD) and results of an off-leash survey conducted by the Department of Parks Recreation Waterfront (PRW).

2019 Dog and Cat Incident Reports Analysis

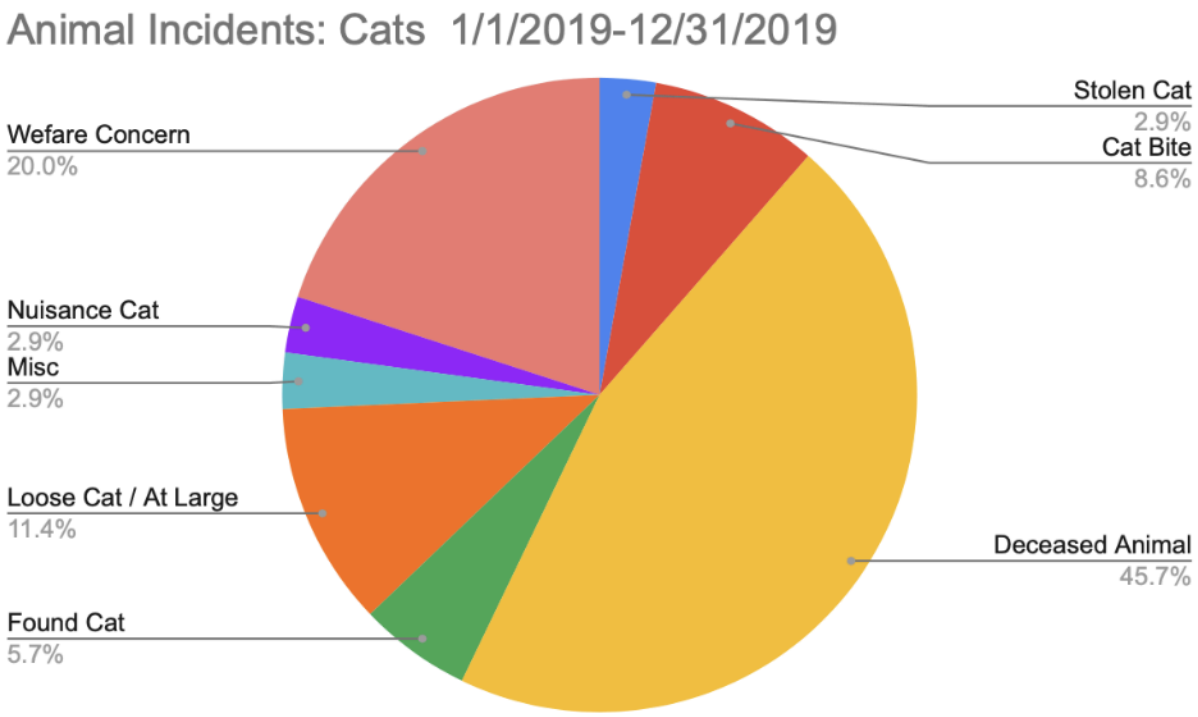
The Task Force analyzed data from 467 incidents involving companion animals (cats and dogs) that were reported in the calendar year 2019. The effort to summarize the data and analyze it was time-consuming, as the data were presented to the task force as individual PDF files with written details of each incident. To make sense of these written reports, a dataset was created by pulling the following variables from each report: date, time, incident number, origin of call, animal type, location of incident, incident details, and resolution. Incident details consisted of a summary of what was reported by the caller to dispatch. Resolution consisted of the responding officer's response and/or a more detailed description of the incident. The "Incident Type" variable in the data set was then broken down into dog-related or cat-related incidents, and assigned a category.



Dog-Related Incidents

Reported dog incidents were categorized as follows (in order by the number of incidents reported in 2019):

- *Dog in Vehicle:* Vehicle was gone on arrival (GOA), Dog did not appear to be in distress (guardian of vehicle not present or mentioned in the incident report), Dog did not appear to be in distress and the guardian returned to their vehicle and the officer was able to speak to the guardian about the dangers of leaving a dog in a car; or Dog was in distress. (109)
- *Loose Dog / Dog At Large:* (89)
- *Found Dog:* (65)
- *Dog Bite:* Dog bite to another dog, Dog bite to a person, Dog bite to both a dog/person, Dog bite to a cat, Dog bite to unknown person or animal. (57)
- *Excessive Noise:* Barking, whining, and/or howling (46)
- *Welfare Concern:* Issues related to an animal's well-being and safety including but not limited to possible animal neglect, animal abuse, and injured animals. (34)
- *Miscellaneous:* Examples are guardianship disputes, how to surrender an animal, requests for behavioral training assistance, and how to obtain care for an animal while the guardian is hospitalized. (14)
- *Nuisance:* (11)
- *Lost Dog:* (4)
- *Dog Aggression Concern:* (3)
- *Deceased Animal:* (2)



Cat-Related Incidents

- *Deceased Animal:* (15)
- *Welfare Concern:* (7) Issues related to an animal's well-being and safety including but not limited to possible animal neglect, animal abuse, and injured animals
- *Loose Cat / At Large:* (4)
- *Cat Bite:* (3)
- *Found Cat:* (2)
- *Miscellaneous:* Example: Request for behavioral training assistance. (1)

Cat Incident Reports. Almost half of police incident reports concerning domesticated cats involved the reporting of a deceased cat (45.7%). People reporting these incidents were concerned about cats and other cat related incidents included welfare concerns (20%), loose cats (11.4%), and found cats (5.7%). Cat bites made up 8.6% of all cat related incident reports. Because residents know that general issues with cats (cat welfare, lost cats, etc) are not handled by CSOs, the number of cat incidents is likely to be grossly underreported.

Spring 2023 Off-Leash Survey Analysis

Based on the work of the previous task force & work groups (see Appendix K), areas recommended for off-leash usage were reviewed by the committee based on current usage, and a proposal for areas to pilot was derived. This proposal was included in a survey to get feedback from the community. Based on feedback and information about current off-leash use by residents, the pilot areas were further revised. For example, Roosevelt and Schmanska were removed from consideration, based on quantitative survey opinions and written comments. Leddy Park Trails was also removed from consideration, in spite of quantitative results in favor of, due to important written considerations brought up by community members in the open comments portion.

Quantitative Survey Results

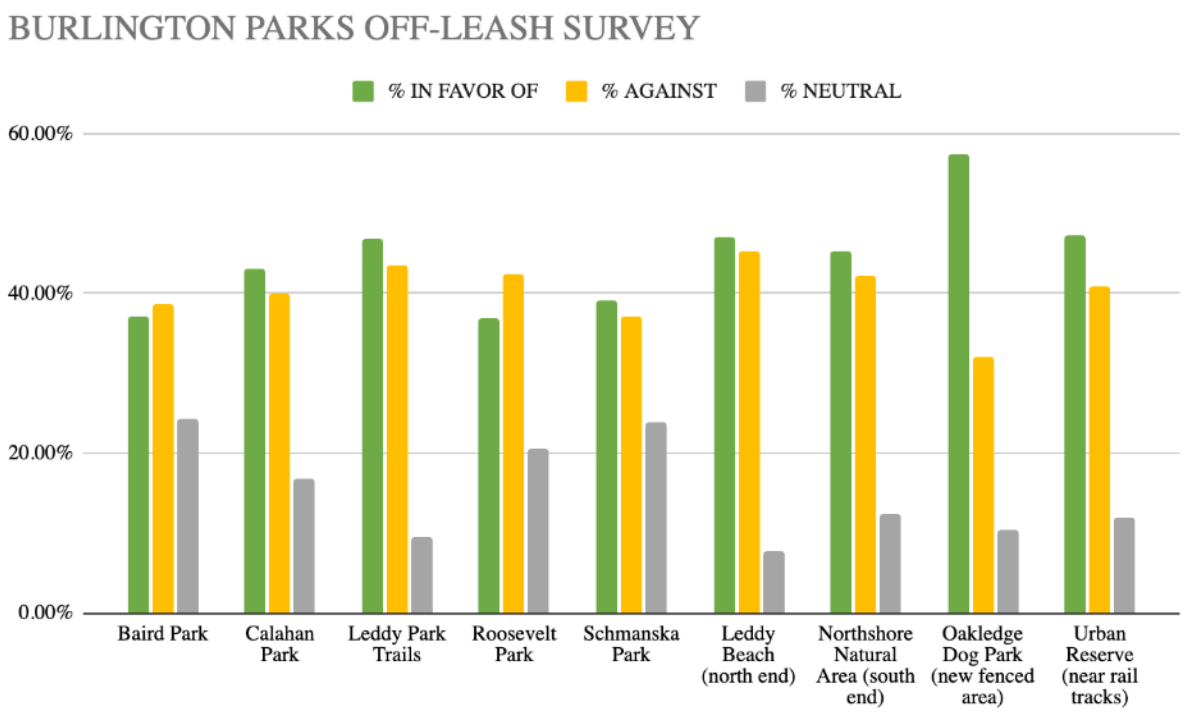


Fig. 5. Community members' opinions about proposed off-leash areas.

Table 4. Community members' opinions about proposed off-leash areas

LOCATION	IN FAVOR	AGAINST	NEUTRAL
Baird Park	353 (37.04%)	368 (38.61%)	232 (24.34%)
Calahan Park	422 (43.11%)	392 (40.04%)	165 (16.85%)
Leddy Park Trails	467 (46.93%)	433 (43.52%)	95 (9.55%)
Roosevelt Park	352 (36.9%)	405 (42.45%)	197 (20.65%)
Schmanska Park	369 (39.13%)	349 (37.01%)	225 (23.86%)
Leddy Beach (north end)	445 (46.99%)	429 (45.30%)	73 (7.71%)
Northshore Natural Area (south end)	414 (45.25%)	387 (42.30%)	114 (12.46%)
Oakledge Dog Park (new fenced area)	542 (57.48%)	303 (32.13%)	98 (10.39%)
Urban Reserve (near rail tracks)	433 (47.22%)	375 (40.89%)	109 (11.89%)

Qualitative Survey Results (Analysis/Coding of Written Comments)

In addition to the quantitative survey collected, the Task Force compiled 631 written comments from respondents providing additional opinions and suggestions regarding off-leash areas and dog parks (61% of respondents left one or more comments). Many comments focused on specific proposed locations, or suggested additional locations not included in the survey. Comments fell into the following categories or theme (in order by the number of comments received in the categories):

- *Appreciate off-leash areas as option:* Commenters felt there were not enough off-leash areas or appreciated the city was investigating additional off-leash spaces for dogs. (202)
- *Dog parks only:* Commenters felt off-leash areas should only be provided strictly in fenced-in dog parks designated for dogs, and that there should not be designated unfenced areas. (143)
- *Nuisance behavior / Environmental impact*. Commenters expressed concern over the negative impact of dogs in general - contributing to noise, annoying people, or trampling local plants/killing wildlife especially in conservation areas. (122)

- *Enforcement & Reporting:* Commenters asked for more accessible complaint forms, stronger consequences for existing ordinance infractions, or complained that they never saw enforcement happen, and this made them leery of offering off-leash areas. (121)
- *Park-specific.* Commenters made a comment about a specific park, such as requesting we consider Smalley Park for off-leash. (100)
- *Safety*. Commenters were concerned about aggressive dogs, or dogs jumping on/injuring people (small children were often mentioned). (67)
- *Time/season complexity:* Commenters felt the initial survey's multiple sets of disparate times per individual park would lead to a lot of confusion and possibly be difficult to enforce. (39)
- *Comments for other public land-owners*. Commenters suggested offering areas not governed by the city of Burlington as possibilities for off-leash. (38)
- *Education:* Commenters asked for increased education around rules, requested more signage and clarity so that community members knew which rules applied in which parks and where. (25)
- *Cultural impact*. Commenters expressed concern for individuals whose cultural or religious practices may be adversely affected by allowing off-leash dogs in unfenced spaces (this was especially common in reference to Roosevelt Park) (17)
- *Neighborhood park concerns.* Commenters made suggestions for specific parks. (17)
- *Tag / Permit Concept*. Commenters thought that some off-leash areas should be provided on a tag or permit basis. (16)
- *Accessibility*. Commenters were concerned about more off-leash spaces being accessible to people who don't have cars and need to walk their dogs to an available off-leash area. (10)
- *Comparison to other cities*. Commenters made positive or negative comparisons of Burlington to other cities (usually to complain that Burlington was not dog-friendly enough, but sometimes to complain that it was too dog-friendly). (8)
- *No off-leash*. Commenters felt dogs should not be allowed off-leash anywhere in Burlington. (6)
- *No additional comment*. 39% of respondents did not leave a comment

After reviewing the written comments and quantitative data, decisions were made to remove the following proposed off-leash areas from consideration by the Parks Commission as a pilot, for the reasons stated below:

- Leddy Trails (concerns about wildlife disruption)
- Roosevelt Park (concerns about aversive effect on neighborhood cultural practices)
- Baird Park (concerns about how close the proposed dog play area would be to the children's playground)

The survey also collected feedback from respondents on areas that had not been included, to see if there should be additional areas considered.

- Smalley Park came up frequently and as a result, Smalley was added to the list of pilot areas.
- Many commenters requested additional locations not under the purview of PRW to be made off-leash (for example, Red Rocks or Ethan Allan Homestead, both of which require dogs to be on-leash and are not part of PRW).

Appendix J: Task Force Progress Reports to City Council PACC Committee

The Task Force submitted progress reports to the City Council PACC Committee on the following dates.

2022-03-01

2023-02-23

2023-08-23

Appendix K: History of Prior Task Force Work

In 1998, the City chose to pilot five locations for off-leash areas. They included Starr Farm Park, Urban Reserve, Intervale, Schmanska and Oakledge Park. Two areas, Starr Farm and Urban Reserve, exist today as off-leash fenced parks. The language for the program still exists in the City Ordinances under Appendix D, section 7, Rules and Regulations of the Burlington Parks and Recreation Park. The section became no longer enforceable in approximately 2002 as the pilot ran out without any information that indicates that the City Council took action.

In 2011, the City Council created a work group to revise and formalize the pilot program started in 1998. After two years, the workgroup recommended that the South, Center and North end of the City all have options for dogs off-leash. They also specified four parks off-leash areas would not be permitted including Burlington Greenway, Battery Park, City Hall Park and Champlain Street Park. They suggested that Starr Farm and Urban Reserve fenced dog parks be listed in the ordinance and that the non-fenced areas be listed in a new off-leash dog policy rather than an ordinance. The off-leash dog policy would be approved by the Parks Commission and not through City Council.

The suggested off-leash areas from the 2011-2013 report included Leddy Park, Oakledge Park, Calahan Park, Schmanska Park, Waterfront Park (in addition to the fenced area), and Roosevelt Park. It was a mix of year-round and seasonal and any time of day to specified times of day. The Parks, Recreation & Waterfront (BPRW) department started a Parks

Comprehensive Plan process around the time of the final report. With that process starting, the decision was made to pause the off-leash work to see what came out of the comprehensive plan. It did not get picked back up again following the release of the 2015 Comprehensive Plan.

In 2019, the current BPRW Director started to move forward with the work from 2011-2013 meeting with PACC and the Parks Commission. The suggestion was made by the Parks Commission to survey the community as quite a bit of time had passed from the 2011-2013 work. Before sending out the survey, the pandemic hit and once again, the project stalled.

BURLINGTON
PARKS
RECREATION
WATERFRONT

MEMO

To: Burlington Parks Commission

From: Cindi Wight, Director, Parks, Recreation & Waterfront

Date: April 8, 2024

Subject: Reset and Review of Responsibilities from the Dog Task Force Final Report

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Background:
In 2021, the City Council established the Dog Task Force in response to increased community concerns around dogs in Burlington, including off-leash use, enforcement, licensing, and related issues. The Task Force worked through 2023 and issued its final report in December 2023. The report includes comprehensive findings and recommendations to update ordinances, improve licensing and enforcement, and better support coexistence between people, dogs, and the broader community.
In early 2024, the City Council reviewed the final report and issued a formal referral:

"To refer the recommendations of the 2021-2023 Dog Task Force Report to the following Committees, Commissions, and Departments for further review, study, and recommended action...
… Recommendation regarding creation of additional off-leash areas to the Parks Commission."

The Commission previously considered forming a subcommittee to take on this work, but progress has been limited. As of March 2024, the Parks Commission Chair and Vice Chair have recommended the Commission bring the work back to the full body and commit to regular discussion during upcoming meetings.

Commission Authority and Policy Framework:

- **Chapter 5 of the Burlington Code of Ordinances** outlines the authority of the Parks Commission to manage and regulate off-leash areas.
  https://www.codepublishing.com/VT/Burlington/#!/Burlington05/Burlington0502.html#5-14
- **Appendix D**, Section 7, addresses off-leash areas. However, Section 7 reflects a pilot project from over twenty years ago that was never finalized or adopted and does not reflect current policy. The Dog Task Force Report makes recommendations for updating Appendix D.
- The **Off-Leash Dog Policy** proposed in the Dog Task Force final report (Appendix F) includes a comprehensive and updated framework that would be adopted and overseen by the Parks Commission.

Relevant Task Force Recommendations for Commission Review:

1. **Establish a formal Off-Leash Dog Policy** with Parks Commission oversight.
2. **Create a pilot program** for designated unfenced off-leash areas in parks.
3. **Update City ordinances** to formalize current and new off-leash areas (fenced and unfenced).
4. **Support education efforts** through events and outreach, in coordination with BPRW.

Proposed Next Steps:

- **Use the April 8, 2024 meeting as a reset**: clarify the Commission's charge and begin building a work plan.
- **Dedicate time at each Parks Commission meeting** over the next several months to review sections of the final report and proposed policy language.
- **Begin with a review of the proposed Off-Leash Dog Policy (Appendix F)** and list of pilot areas at the May meeting

Attachment: Dog Task Force Final Report

12/13/23

City of Burlington, VT
2021-2023 Dog Task Force

Executive Summary

The Dog Task Force was created in 2021 by a City Council resolution to address the growing number of dogs in Burlington and a perceived increase in conflicts. The Task Force included a broad representation of stakeholders. It met from 2022-2023 to carry out the tasks outlined in the resolution. This report includes details of the work of the Task Force, recommendations and rationale.

Key recommendations:

1) Modernize and update the city ordinances that relate to animals.
2) Improve the licensing process and dramatically increase the number of animals licensed in the city. Allocate a portion of the license revenues for programs and activities that support healthy and happy dogs and cats within the City.
3) Require cats to be licensed and prohibit at-large cats, with certain exceptions
4) Improve the reporting, compliance and enforcement of animal-related ordinances by creating the position of Animal Control Officer at the Police Department and adding professional experts to the Animal Control Committee.
5) Establish a policy for off-leash dogs that includes the management and creation of fenced and unfenced off-leash dog areas at a limited number of locations; and recommend BPRW conduct a pilot project to test unfenced off-leash areas for dogs.

6) Create and expand an annual calendar of education outreach, activities and parks-based events to reduce issues and conflicts around domestic animals while celebrating the joy they bring to Burlington's residents.

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Fig. 1. A map showing that dog registrations appear to be evenly spread across the city, indicating both that dogs are located all over the city and that the low licensing numbers are pervasive and not restricted to any specific areas.

Findings and Recommendations

Ordinance Updates

Recommendation: **Modernize and update the city ordinances that relate to animals**

The City of Burlington ordinances related to animals (Chapter 5 “Animals and Fowl”) have not been updated on a regular basis, in some cases for 26 years. As a result, many of the ordinances are outdated with regard to current terminology and regulatory practices. The Task Force ordinance subcommittee conducted a comprehensive review of the ordinances and compiled a list of recommendations.

The recommendations, as follow, fall primarily into four categories: updates to language, improvements to animal shelter policy, licenses and other recommendations to improve the welfare of dogs and cats, and measures to strengthen enforcement. Please note that in the course of the review of Chapter 5, the Task Force has made recommendations that fall outside the four corners of the Resolution, such as revisions to the regulation of exotic animals, and these recommendations, while not noted below, are included in Appendix C. The Task Force requests that the City consider these additional recommendations as well in order to ensure that the ordinances better reflect current societal views of animals.

Language:

- Retitle Chapter 5 “Animals”
- Retitle Article II “Dogs and Cats”
- Replace the term “pound” with “animal shelter” throughout
- Replace the term “owner” with “guardian” throughout
- Replace the term “pet” with “companion animal” throughout
- Replace the term “vicious” with “dangerous” throughout
- Replace “it” with “they” when used in reference to an animal throughout

Animal shelter:

- Provide an animal shelter for all species of companion animals in need
- Remove option for animal shelter to sell or give away unredeemed animals, and restrict options to offer for adoption or transfer to cooperating animal shelter

Dogs and cats:

- Require that dogs and cats wear identification
- Require that cats be licensed
- Increase license fees and review the fee structure at least every 5 years
- Dedicate license fees to education and other services pertinent to improved welfare of resident dogs and cats
- Prohibit at-large cats

Enforcement:

- Provide a dedicated, certified animal control officer with investigative resources
- Increase fine for violations of Chapter 5 and include restorative justice as a supplemental option for offenders
- Require impoundment of any animal suspected of being a stray
- Increase impoundment fee
- Require boarding fee to reflect actual expenses
- Increase fine for cruelty to animals
- Add a licensed veterinarian and a certified animal behavior professional to the animal control committee
- Allow any person to use reasonable force to remove an animal whose health or safety is at risk from a motor vehicle if designated officials are unavailable
- Prohibit any person from leaving the scene of an accident for which they have reason to believe that they have caused the injury or death of an animal

Appendix C includes a copy of Articles I, II, and III of Chapter 5 and Section 22-13 of Chapter 22 as well as a detailed discussion of the bases for the recommendations.

Licensing Programs and Policy Updates

Recommendation: Improve the licensing process and dramatically increase the number of animals licensed in the city. Allocate a portion of the license revenues for programs and activities that support healthy and happy dogs and cats within the City.

The Task Force found that Burlington was under licensing dogs compared to neighboring communities. Licensing is an important means of monitoring the overall health of the City's dogs with respect to rabies, and thus reducing transmission of this virus. Rabies, once symptoms appear, is fatal to humans and animals. In addition, treatment is expensive, painful and occurs over multiple visits. Further, licensing facilitates returning animals to their guardians quickly and efficiently, which reduces stress on the animals and saves City resources for other needs.

The Task Force performed a detailed review of licensing data and trends and found that licensing rates in Burlington are very low compared to neighboring cities with smaller populations. The 2022 rate of licensing in Burlington is estimated at 11%. The practices of the neighboring community of South Burlington, which has an estimated 35% licensing rate for dogs, were compared with Burlington's practices.

In the course of the Task Forces research, it was apparent that there are no dedicated funds for the development of parks resources for animals and their guardians. With some effort to improve licensing numbers, revenue increases for the city could be significant enough to fund additional programs and activities that support healthy and happy dogs and cats within the City. Examples of these programs are listed below.

The Task Force overwhelmingly recognized the importance of improving and expanding licensing within Burlington. The Task Force recommends that the City's licensing programs be strengthened and expanded as follows:

Improve licensing compliance

- Expand outreach and awareness to increase the number of animals licensed
- Educate the community about how the licensing funds are used, and the benefits of licensing (e.g. community health - rabies vaccination ensured)
    - This information should be provided when an animal is licensed
- Require cats to be licensed (see next recommendation)
- Expand the consequences for not licensing dogs and cats
    - Increase penalties (see Appendix C, Chapter 5 Article III)

    - Work with landlords and housing associations to encourage licensing requirements in lease/HOA agreements. Less funding for resident companion animal programs
- Require at-large animals be licensed before they are returned to their guardian
- Require animal control officers to verify licenses when responding to incidents and record that information in the incident report
- Grant the police real-time access to licensing information to increase the ease of rabies verification in the event of a bite.

Use the resulting increase in licensing revenues to create a special fund

The fund would support:

- Annual licensing efforts
- Development of a streamlined process to share licensing data
- Improved incident reporting and data tracking and improved responsiveness from police
- Additional companion animal programs and education
- Low-cost spay/neuter services
- Additional park facilities for animals

Appendix D includes detailed research and discussion of the bases for these recommendations.

Cats: Licensing and Prohibition of At-Large Cats

Recommendation: Require cats to be licensed and prohibit at-large cats.

The Task Force recommends that the City of Burlington require cats be licensed for their own welfare and that of other animals, to aid in identification for animal control purposes, and to better ensure public safety.

Burlington would not be the first to do so, as both South Burlington and Shelburne require cats to be licensed. The many benefits of licensing are enumerated in Appendix C under the discussion of Article II, sections 5-16 and 5-14, and include improving the health of cats

and reducing the number of cats who are lost with no way to identify the guardian. Increased revenues from licensing could also help support better responsiveness to cat-related incidents, as well as support affordable spay/neuter options for low-income residents.

The Task Force also recommends that the City prohibit at-large cats, that is cats that are off-premise and not restrained by their guardian. Free roaming cats are more likely to experience disease and both accidental and intentional injuries as well as fatalities, and thus have shorter life spans (this is reflected in City data where 50 percent of reports about cats pertained to cats who had been found deceased, and of those, 75% were found in roadways). Cats permitted to roam off-premises can easily become nuisances on both public and private property and are classified as such in some neighboring municipal ordinances. Further, free-roaming cats are well documented in the scientific literature as immensely destructive to wildlife, particularly birds.

- Implement ordinance recommendation regarding licensing cats and prohibiting at-large cats as per the Ordinance Update recommendation

For a more detailed discussion, see Appendix C, Article II, Discussion.

Reporting, Enforcement & Compliance

Recommendation: Improve the reporting, compliance and enforcement of animal-related ordinances by creating the position of Animal Control Officer at the Police Department and adding professional experts to the Animal Control Committee.

The Task Force reviewed reporting, compliance and enforcement of dog related ordinances.

This included reviewing reporting mechanisms, social media, Front Porch Forum, and police department data for incidents such as off-leash dogs, aggressive dogs, attacks by dogs, as well as responses by the Burlington Police Department (BPD). Data obtained from the BPD likely reflects only a small portion of the actual incidents that involve animals in the community. Because residents may be aware of the narrow scope of the Department's

work on these issues, as detailed below, it can be assumed that many residents do not bother to report animal incidents and thus there is no record created.

Currently the City's Community Service Officers (CSO) respond to dog and rabies vector related calls for service. Incidents that are called in are responded to and are documented in incident reports. Depending upon the follow-up required, incidents may be responded to over several shifts. CSOs have many other responsibilities besides responding to animal incidents. If there is a higher priority incident such as a car accident, their attention may be focused on those. Additionally CSOs' responsibilities are limited to responding to dog-related reports and to reports about rabies vectors. Therefore concerns about cats or other animal types besides dogs are referred to other organizations such as the Humane Society of Chittenden County or to a wildlife removal service.

The Task Force recognizes the work that the CSOs perform everyday, but strongly recommends that a part- to full time animal control officer be hired by the City.

An animal control officer (ACO) also responds to incidents, but in addition proactively enforces ordinances (such as leash laws) and oversees the overall health and safety of animals within the City. An ACO would have specific and ongoing training and certification in the handling and welfare of animals, be able to perform inspections on and monitor facilities that shelter animals, educate the public on how to care for animals, and investigate trends and repeat problems or animals, conduct in-depth investigations and overall be a point person and resource for the Burlington community.

To improve compliance and enforcement of ordinances, the Task Force recommends the following:

- Create a position at the Police Department of Animal Control Officer
- Ensure personnel that are involved in animal welfare & enforcement of the Animals Ordinances have proper training and access to updated licensing information
- Increase education to improve community awareness on how to report incidents effectively
- Expand online incident reporting categories to include animal issues and ensure issues are assigned to responsive entities within City operations

- Recommend adding licensed veterinarian and certified animal behavior professional to animal control committee
- Improve organization and categorization of data as it relates to incident reporting/tracking

See Appendix I for a summary of animal incidents reported to police and how they were typically addressed/resolved, per the report data available.

Off Leash Areas

Recommendation: Establish a policy for off-leash dogs that includes the management and creation of fenced and unfenced off-leash dog areas at a limited number of locations; and recommend BPRW conduct a pilot project to test unfenced off-leash areas for dogs.

Currently, it is against City ordinances to allow a dog off leash anywhere in the city, except in two fenced-in dog parks and one unfenced beach area. Areas in which dogs may be off-leash comprise a total of 3.5 out of the 520 acres of City Parks (less than 1% of all park land). Many Burlington dog guardians allow their dogs off leash indiscriminately on Burlington's trails and in parks and the City's enforcement of current leash laws is weak to non-existent. The committee researched potential locations, looked at programs in jurisdictions throughout the US for best practices and conducted a City-wide survey. There is a strong desire from dog guardians to have easy access to off-leash areas.

Our parks are a limited resource, and while more areas could be fenced in for dogs, this would exclude regular park goers from this valuable space.

The Off-Leash Areas recommendations, as follow, satisfy the need to create space in our urban environments where dogs may play freely and the desire not to fence off all of our parks for dogs, while providing a mechanism to better regulate and manage spaces where dogs are off-leash. By providing sufficient sanctioned off-leash spaces for dogs to play, explore, and run, the City may focus on the enforcement of regulations requiring dogs be on a leash otherwise within the City's system of parks and recreation paths, protecting all users and our urban wildlife.

The Task Force recommends increasing designated off-leash spaces while simultaneously increasing the enforcement of leash laws in the rest of the city. The goal is to ensure healthy and safe access to appropriate outdoor space for dogs across the City and to support enforcement of inappropriate spaces where dogs should not be off leash.

- Update the City ordinances with a new Section 7 of Appendix D which will add one fenced off-leash dog area to Oakledge, formalize the two existing off-leash fenced dog areas, and provide the parks department with regulations and the ability to enforce these regulations.
- Establish an Off-Leash Dog Policy with oversight by the Parks Commission
- Create a pilot program of off-leash dog areas, as drafted in the Off-Leash Dog Policy in Appendix F

The list of pilot areas in the Off-Leash Dog Policy came from a review of prior committee work (see Appendix K), current parks programming and usage, and survey results (Appendix I). Considerable thought was given to how to avoid clashes, including the following:

- Clear signage indicating designated off-leash areas & rules for using these spaces.
- A landing page on Burlington Parks Recreation Waterfront (BPRW) website showing where dogs can and can't go, and where they must be kept on-leash.

Education Campaign

Recommendation: Create and expand an annual calendar of education outreach, activities and parks-based events to reduce issues and conflicts around domestic animals while celebrating the joy they bring to Burlington's residents.

The Burlington Dog Task Force worked with the Parks & Recreation Department to support the education campaigns and events, including:

- Barking contribution to noise pollution, and solutions to unwanted barking, posted on 2/16/2023
- On leash in natural areas, posted on 5/18/22

- Scoop the Poop campaign, posted on 4/1/22
- Dog License education, posted 3/22/23
- Wag the Waterfront event

The Burlington Dog Task Force has created a draft calendar with suggested educational posts for social media and Front Porch Forum, as well as sample campaigns, as included in Appendix H. Additional educational ideas included the following:

- "Having a dog in Burlington" literature handed out when a license is first issued
- More signage similar to what BPRW posted on the bike path during the summer of 2023 (see image on the right).
- Recommend that a web page on the city's website is developed that goes over everything to do with dogs and cats: rules, how and why to license, off leash rules, off leash areas. Then this site can be referenced and linked to. (signs have QR codes leading to this page)
- How/when to report issues
- Impact of outdoor cats on wildlife
- Low cost spay/neuter options

The Task Force recommends the following educational steps be taken by the City:

- Follow an annual calendar of automatic social media posts/news releases (see appendix for content subjects)
- Hold annual programs in parks such as the recent "Wag the Waterfront".
- Provide behavioral learning opportunities to animals and their companions

- Provide resources for new arrivals (either new residents of Burlington who have dogs, or current residents who get a new dog) on on and off leash areas, regulations, general “good neighbor” guidelines and wellness resources
- Install signage on guidelines for behavior of dogs in designated off-leash areas
- Distribute education/information/tips annually on the cards that accompany dog license tags
- Develop a curriculum for the community justice center, should a restorative justice approach be adopted for resolving violations of dog policies & ordinances

Appendices

Appendix A: Council Resolution

On March 30, 2021 the New North End City Councilors (Barlow, Carpenter, and Dieng), South End City Councilor Shannon, and Parks, Recreation and Waterfront Director Wight hosted an informative and constructive meeting with city residents to better understand pet issues beyond complaints shared on social media. This led to a Burlington City Council resolution on June 28 to create a Burlington Dog Task Force to address these issues. Dog Task Force members were officially appointed on November 17, 2021 by the PAC and the first meeting of the Task Force convened on January 27, 2022. The original resolution is copied below.

The scope of work included a mix of actions for implementation and policy recommendations.

HRB/Resolutions 2021/BURLINGTON PARKS ARTS AND CULTURE COMMITTEE TO CREATE A DOG TASK FORCE 7/8/2021

CITY OF BURLINGTON

In the year Two Thousand Twenty-one

Resolved by the City Council of the City of Burlington, as follows:

BURLINGTON PARKS ARTS AND CULTURE COMMITTEE TO CREATE A DOG TASK FORCE

That WHEREAS, According to the City Charter, a dog is defined as the following: Dogs shall include both male and female of the canine species. Dog shall also mean any animal which is considered to be a wolf-hybrid as defined in 20 V.S.A. § 3541(6).

WHEREAS, Dogs are considered an integral part of our society, playing different roles and providing services in the daily lives of humans, such as for accessibility, companionship, exercise, security and more.

WHEREAS, Under the Americans with Disabilities Act (ADA), a service animal is a dog that has been individually trained to do work or perform tasks for an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability.

WHEREAS, According to the American Society for the Prevention of Animal Cruelty (ASPCA), dog adoptions are up 700% nationally during the pandemic.

WHEREAS, According to the City of Burlington Parks, Recreation and Waterfront website, "The State of Vermont has one of the highest rates of pet ownership around the nation, the City of Burlington has made possible for community members to share their experiences in many different locations in the greater Burlington Area."

WHEREAS, The City of Burlington issued 755 dog licenses and collected over $23,000 in dog license revenue for the 2020 fiscal year.

WHEREAS, The City of Burlington via the Department of Parks, Recreation and Waterfront has made a substantial investment in the renovation of the Starr Farm Dog Park located in the New North End.

WHEREAS, Over the past few months, residents of the New North End alongside other residents of the city have shared via social media (Front Porch Forum, Facebook) a growing number of incidents involving dogs or dog owners. The incidents were reported by both dog owners, former dog owners or nondog owners.

WHEREAS, Most of those incidents are similar in nature; some are unique incidents that resulted in a decreased quality of life and have caused tensions between neighbors. Those incidents include but are not limited to the following:

- Off leash dogs in city parks, natural areas or beaches
- Dogs attacking people or other dogs
- Dog feces not being picked up
- Policies not being enforced
- Unlicensed dogs
- Dog barking contributing to noise pollution

WHEREAS, Several other issues involving other types of pets in the city were also shared by community members.

WHEREAS, On Tuesday, March 30th the New North End City Councilors, Barlow, Carpenter and Dieng, hosted an informative and constructive community meeting alongside South End District City Councilor Shannon and Parks, Recreation and Waterfront Director Wight in order to better understand the pet issue beyond the complaints shared on social media.

WHEREAS, The Community meeting was well attended and received by the community. The attendance ranged from people of the South End, Old North End and New North End. Most attendees were dog owners or former dog owners as well as non-dog owners, nature lovers, dog park volunteers and professionals working with pets.

WHEREAS, Residents who attended the community meeting brainstormed ideas and best practices related to these issues and are willing to formally help the city in an ongoing way.

WHEREAS, The Burlington City Council, via a resolution, respectfully tasked the Parks, Arts and Culture Committee to make a recommendation via a resolution by June 28th to the Council regarding the creation of a Burlington Dog Task Force to address the issues raised in this resolution and possibly other issues.

WHEREAS, The Parks, Arts and Culture Committee, in consultation with the Director of Parks, Recreation and Waterfront and the Starr Farm Dog Park Volunteer Coordinator, developed the following recommendations for a nine (9) member task force and their scope of work.

NOW THEREFORE BE IT RESOLVED, The nine-member Dog Task Force shall be composed of the following members:

1) Starr Farm Dog Park Volunteer Coordinator
2) Representative of a dog shelter, dog rescue group or other dog group to be appointed by PACC
3) Dog trainer to be appointed by PACC
4) Veterinarian or animal health professional to be appointed by PACC

5) Burlington Police Department Community Resource Office representative to be designated by the Chief of Police
6) Burlington Parks, Recreation and Waterfront representative (staff with land use or event planning expertise) to be designated by the BPRW director
7) At large Burlington community member who is a non-dog owner to be appointed by PACC
8) At large Burlington community member who is a dog owner to be appointed by PACC
9) A representative of the Parks Commission to be appointed by the Parks Commission Chair

BE IT FURTHER RESOLVED, Parks Director will create an application for task force membership.

Applications will be received by the Clerk/Treasurer's Office until August 31, 2021. PACC appointed members shall be selected by the Parks, Arts and Culture Committee at their September meeting

BE IT FURTHER RESOLVED, The Parks, Art and Culture Committee recommends the following:

A. That the Dog Task Force members elect a Chair as their first order of business in their first meeting; and the Director of Burlington Parks and Recreations and Waterfront to identify an administrative staff to the taskforce
B. That the following be within the Dog Task Force's scope of work:
    1) Review current city programs and policies including other dog task force work.
    2) Conduct an Education Campaign:
        a) Off leash dogs in city parks, natural areas or beaches
        b) Dogs attacking people or other dogs
        c) Dog feces not being picked up
        d) Dog barking contributing to noise pollution
    3) Review licensing rules and make recommendations
        a) Review licensing fees and make recommendations
        b) Explore modernizing license fee applications

c) Consider the question of licensing of outdoor cats

4) Review compliance and policy enforcement and make recommendations
5) Plan Pet/Dog Events, Activities and Celebrations, i.e., National Pet Day or National Dog Day Celebration
6) Review current funding allocated to our municipal dog/pet resources and make recommendations
7) Provide quarterly updates to the Parks, Arts, and Culture Committee
8) Generate a final report to be presented to the City Council by April 29, 2022

Appendix B: Committee Members & Staff Participants

The full Task Force met monthly, with subcommittees and working groups collaborating in additional meetings as-needed.

Table 1. Appointed Members and City Staff

Appointed Members	**City Staff**
Jake Schumann, Chair through 10/24/2022 (Position 1)	Cindi Wight, BPRW Director
Lori Kettler (Position 2)	Meghan O'Daniel, BPRW Staff
Maria Karunungan, Chair 10/24/2022 forward (Position 3)	
Nina Hurley (Position 4)	
Dominic Tenan (Position 5, Reassigned) Yusuf Abdi (Position 5, Reassigned) Thomas Young (Position 5)	
Alec Kaeding (Position 6)	
Ilona Blanchard (Position 7)	
Ute Montensen (Resigned, Position 8) Joanne Kalisz (Replaced, Position 8)	
Abbey Duke (Position 9)	

Appendix C: Proposed Amendments to City Ordinances

Proposed Amendments to Article I of Chapter 5

The Task Force's recommended amendments are inserted and underlined, and text that would be eliminated is indicated by strikethroughs.

ARTICLE I. IN GENERAL

5-1 ~~Pound~~ ~~established~~ Animal shelter provided.

There shall be ~~established~~ provided by the city council ~~a pound~~ an animal shelter for ~~the impounding of all beasts~~ all domestic and exotic animals in need ~~liable to be impounded~~.

(Ord. of 6-23-97)

5-2 Appointment of ~~poundkeepers; compensation~~ animal shelter personnel.

It shall be the duty of the mayor to appoint such ~~poundkeepers~~ persons as may be required to ~~take care of and keep such pound as may be~~ manage and maintain the animal shelter that is established pursuant to section 5-1. ~~Their compensation shall be the same as provided by the laws of this state for poundkeepers in towns.~~

(Ord. of 6-23-97)

Cross reference—Duties of officers of the city, § 2-4.

5-2a Appointment of animal control officer

It shall be the duty of the mayor to appoint an enforcement officer(s), in accordance with section 122 of the city charter, who shall be a member of the Burlington Police Department. Such enforcement officer(s) shall be a certified animal control officer.

5-3 Animal bites.

It shall be the duty of every person bitten, or his or her parent or guardian, and the attending physicians to report to the ~~city health officer~~ animal control officer, who shall report to the city health officer, within twenty-four (24) hours the name, address and telephone number of the ~~owner~~ guardian or keeper of the animal ~~which~~ who bit the person and the complete circumstances, to the extent known.

(Ord. of 6-23-97)

5-4 Nuisance animals.

(a) No ~~owner~~ guardian, keeper or other person having control shall permit an animal to be a nuisance animal. For the purposes of this section, nuisance animal means any animal or animals ~~which~~ who:

(1) ~~Molests~~ Attacks or harasses passersby or passing vehicles, or otherwise creates a public safety hazard;

(2) Attacks other animals, including but not limited to wildlife;

(3) Damages property other than that of their ~~its owner~~ guardian;

(4) Defecates off the premises of the animal's ~~owner~~ guardian, and the ~~owner~~ guardian, or other individual in control of the animal, fails to remove such deposit immediately;

(5) Roams off the premises of the guardian while not under control of the guardian, or the guardian's agent, by leash or other similar means of physical restraint at all times; or

(~~5~~ 6) Barks, whines, howls, cries, or makes a noise commonly made by such animals in an excessive and continuous fashion so as to disturb the peace and quiet of any other person.

(b) Any dog or cat found to be a nuisance animal by an animal control officer shall be impounded if the guardian, or the guardian's agent, is not present and cannot be located immediately.

(Ord. of 6-23-97; Ord. of 10-23-06, eff. 11-22-06)

5-5 Exotic animals.

~~(a) *Purpose and findings:* The purpose of this section is to enhance the public safety of persons who are present on the district known as the Church Street Marketplace (the Marketplace) and in the city's parks by regulating the presence of "exotic" animals on the Marketplace and in the city's parks. The council finds that such pets can pose a threat to the public health, safety, and welfare if present on the Marketplace and in city parks. Such pets are unlicensed and are not typically leashed, as is required of domestic dogs.~~

~~(b) *Definitions:* "Exotic pet" means all animals except domestic dogs, domestic cats and the European ferret *(Mustela putorious furo).*~~

~~(c) *General prohibition:* No person shall have an exotic pet or permit their exotic pet to be on or about the Marketplace or within a city park unless expressly approved by the Marketplace Director or Parks Department respectively or exempted under the terms of this section.~~

~~(d) *Exemptions:* A person may have or permit an exotic pet to be on or about the Marketplace or within a city park when done to transport the pet directly from a pet store in the vicinity of the Marketplace or city park after purchase of such pet or to return such pet to said pet store. The person must retain a receipt for the purchase of such pet and shall display the receipt upon demand from any animal control officer, law enforcement officer, or other person duly authorized to enforce animal control ordinances.~~

(a) *Purpose and findings*: The city recognizes that the keeping of exotic animals raises animal welfare concerns and public health and safety concerns not commonly associated with domesticated animals. This section is intended to prevent mistreatment of exotic animals, reduce the risk of harm to the public from contact with exotic animals as well as accidents and other incidents involving such animals, and reduce the public health risk associated with diseases and pathogens carried by such animals.

(b) *Definitions*: "Exotic animal" means all animals except domestic dogs, domestic cats, domestic mice, domestic rats, domestic rabbits, gerbils, hamsters, guinea pigs, the European ferret, and livestock as defined by Title 6, section 791 of the Vermont Statutes.

(c) *Prohibition*: The offer for sale, sale, purchase, possession, or public display of any exotic animal within the corporate limits of the city is prohibited.

(d) *Exemptions*: Any exotic animal possessed on the date of the enactment of this ordinance is exempted from the prohibition on possession set forth in subsection (c) upon registration of the animal with the Board of Health. The exemption applies only to the individual animal so registered, and does not apply to any animal of the same species subsequently acquired. The prohibition set forth in subsection (c) shall not apply to registered 501(c)(3) organizations whose primary purpose is education, animal rescue, or animal rehabilitation.

(Ord. of 10-27-03, eff. 12-3-03)

~~5-6 Use of non-domesticated animals for public display prohibited.~~

~~(a) *Purpose.* This section is intended to assist in the prevention of the mistreatment of non-domesticated animals used in any public display, to reduce risk of harm to the public from accidents and incidents involving such animals, and to reduce the public health risk associated with diseases and pathogens carried by such animals.~~

~~(b) *Definitions.*~~

> ~~(1) *Non-domesticated animals* are defined as *Felidae* (all wild cats and hybrids thereof), *Ursidae* (all bears), *Proboscideae* (all elephants), and Non-human Primates and *Prosimians.*~~
>
> ~~(2) *Public display* shall mean the exhibition, presentation or showing of live non-domesticated animals to the general public regardless of whether for profit, on a not for profit basis or without charge.~~

~~(c) *Prohibition.* The public display of live non-domesticated animals within the corporate limits of the city is prohibited.~~

(Ord. of 9-7-04; eff. 10-13-04)

5-~~7~~ 6—5-12 Reserved.

Discussion

Section 5-1

The current language of section 5-1 requires the city to provide an animal shelter that accepts "all beasts liable to be impounded." It is the Task Force's understanding that the city has previously contracted only for the impoundment of dogs in need. The Task Force recommends that the city provide a shelter for all domesticated and exotic animal residents in need.

Section 5-2a

Section 5-2a is a new section that requires the appointment of a dedicated, certified animal control officer, or officers, within the Burlington Police Department ("BPD").

Currently, limited animal control functions are performed by the community service officers at the BPD. Community service officers are not required to have experience or training specific to animal control functions, such as animal handling, care, and welfare.[1] The Task Force recommends that the city retain an officer, or officers, whose sole duty is to respond to animal-related issues and to expand the program so that the city's animals and citizens are better served in this regard. To achieve that goal, the Task Force recommends that animal control officers obtain certification in animal control and be required to participate in continuing education courses, through a national professional training program.

[1] *See* City of Burlington, Community Service Officer Job Description, https://www.governmentjobs.com/careers/burlingtonvt/jobs/3045625/community-service-officer..

The National Animal Care and Control Association ("NACA") recognizes the difficulty in determining the optimum number of animal control officers for any particular locality.[2] The calculation is affected by a number of factors such as the number of calls for service, officer safety, citizen safety, types of services provided, population density and diversity, and coverage area.[3]

Assessment of the number of officers required to address the animal control needs in Burlington is further complicated by the fact that calls for service may not accurately reflect the need for an animal control officer. For example, residents may be aware that the BPD does not respond to calls regarding free-roaming cats and, as a result, they do not place such calls for service.

Studies and other evidence suggest that most cities with a population similar to that of Burlington (approximately 44,000 residents) employ or contract with at least one animal control officer.[4]

In Vermont, an online search reveals that many smaller and less diverse municipalities have at least one animal control officer who may be part- or full-time, employed, contracted, or in a few instances a volunteer. A partial list includes Barre, Bolton, Brattleboro, Castleton, East Montpelier (2 officers), Fairfax, Guilford, Hartland, Highgate, Hyde Park (2 officers), Newfane, Putney, Randolph, Readsboro, Rockingham, Sharon, Shelburne, Shaftsbury, Waterbury, and Windham.

Section 5-4

Section 5-4 expands the definition of "nuisance animals" to include free-roaming animals. It also authorizes law enforcement to impound a "nuisance animal" if the animal's guardian, or the guardian's agent, is not present or readily located, and it requires impoundment of free-roaming animals under such conditions.

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[2]National Animal Care and Control Association, "Determining Field Staffing Needs," https://www.nacanet.org/determining-field-staffing-needs/.

[3] *Id*.

[4] For example, a study conducted by NACA found the average ratio of field animal control officers to citizens was one officer for every 16,000 to 18,000 persons. https://www.sheltertrak.com/downloads/kern/kcac_audit/4.pdf. Private online discussion groups for animal control officers across the country suggest similar statistics. Printouts on file with the author.

Section 5-5

Section 5-5 replaces the ban on exotic animals on Church Street Marketplace and in city parks with a city-wide ban on the offer for sale, sale, purchase, possession, or public display of exotic animals, with a grandfather clause for animals currently possessed, and exceptions for certain 501(c)(3) organizations.

The Task Force recognizes that the proposed amendment falls outside the scope of its mandate but wishes to take this opportunity to point out that societal views on the keeping of exotic animals have changed markedly in the last decade as we have learned more about these animals. It is now well accepted that the complex needs of exotic animals cannot be met in captivity, even by the most well-meaning guardians,[5] and that the exotic animal trade itself is a source of much suffering.[6]

The environmental impact of the exotic pet trade can be severe as well, often having a devastating effect on wild populations of the species traded. For example, it is estimated that every year 21% of the wild population of African Grey parrots, a popular "pet" and an endangered species, are poached.[7]

Exotic pets released into the wild when their novelty wears off, or when they become too expensive or too difficult to handle, can wreak havoc on native flora and fauna. Perhaps the most well-known examples of this problem are the Burmese pythons and green iguanas in Florida.[8] Vermont is not immune to invasive species, and it is projected that as the climate continues to warm some invasive species, such as red-eared slider turtles commonly sold in local pet stores, will survive and establish breeding populations in the state.[9]

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[5]Exotic animals, even those bred in captivity, still possess innate social and physical needs, and require mental stimulation that cannot be provided in private homes. *See*, Progressive Animal Welfare Society, "Exotic Pets," https://www.paws.org/resources/exotic-animals/.

[6] *E.g.*, World Animal Protection, "7 Reasons Why You Shouldn't Keep Wild Animals as Exotic Pets," https://www.worldanimalprotection.ca/news/7-reasons-why-you-shouldnt-keep-wildlife-pets; Born Free U.S., "The Dangers of Keeping Exotic Pets," https://www.bornfreeusa.org/campaigns/animals-in-captivity/the-dangers-of-keeping-exotic-pets/.

[7] *Id.*, World Animal Protection.

[8] Florida Fish and Wildlife Commission, "Burmese Python," https://myfwc.com/wildlifehabitats/profiles/reptiles/snakes/burmese-python/; Florida Fish and Wildlife Commission, "Green Iguana," https://myfwc.com/wildlifehabitats/profiles/reptiles/green-iguana/.

[9] Vermont Reptile & Amphibian Atlas, "Pond Slider," https://www.vtherpatlas.org/herp-species-in-vermont/trachemys-scripta/.

Aside from the animal welfare and environmental concerns, many species of exotic animals carry zoonotic diseases, and there are frequent reports of injuries and deaths from exotic animals kept as "pets," who can retain their wild instincts even after decades of captive breeding.[10]

All states prohibit or restrict the possession of certain exotic animals, and the latter often involves a permit, license, or registration requirement.[11] Vermont allows unrestricted possession of many exotic animals, such as certain species of pythons and boas, but requires a permit to possess other species, such as anacondas and black widow spiders.[12]

As the private "ownership" of exotic animals has increased, a growing number of counties and municipalities across the nation have enacted ordinances to prohibit or further restrict the presence of exotic animals in their communities, for the safety of residents and the welfare of the animals.[13] For example, Rainsville Alabama's Responsible Pet Ownership Ordinance prohibits the keeping of any non-domesticated, wild animal.[14] Richmond Virginia has a comprehensive ban on the ownership, breeding, purchase, sale, offer for purchase or sale, keeping or maintenance of all exotic or wild warm-blood animals, venomous reptiles and amphibians, and members of the crocodilian family, with exceptions for a limited number of identified species who are in captivity and have never seen the wild, or who have been domestically bred or legally imported.[15]

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[9] *E.g.*, Bruno B. Chomel, Albino Belotto, and François-Xavier Meslin, "Wildlife, Exotic Pets, and Emerging Zoonoses," Emerg Infect Dis, v.13(1); 2007 Jan., available at https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2725831/, last accessed Sept. 23, 2023.
[10] *E.g.*, People for the Ethical Treatment of Animals, "Reptile Incidents," https://www.peta.org/wp-content/uploads/2022/06/reptile-incidents-factsheet.pdf.
[11] Findlaw, "Exotic Animal Laws by State," https://www.findlaw.com/injury/torts-and-personal-injuries/exotic-animal-laws-by-state.html.

[12] Vermont Fish and Wildlife Department, "Unrestricted Wild Animal List" and "Restricted Wild Animal List," https://vtfishandwildlife.com/sites/fishandwildlife/files/documents/Learn%20More/Living%20with%20Wildlife/Importation/Unrestricted_Wild_Animal_List.pdf.
[13] *See* Humane Society of the United States, "Where the Wild Things Shouldn't Be," https://humanepro.org/magazine/articles/where-wild-things-shouldnt-be.
[14] City Of Rainsville, Alabama, "Non-Domesticated, Wild Animals," Ord. No. 5-23-13-A, sec. 10, http://www.rainsvillealabama.com/ordinances/Ordinance-5-23-13-A-amendment.pdf.
[15] City of Richmond, Virginia, Ord. No. 2023-130 - Amended 20230626, https://library.municode.com/va/richmond/ordinances/code_of_ordinances?nodeId=1228386.

The Task Force recommends that the city consider the proposed revisions to section 5-5 for the reasons stated herein.

Section 5-6

Section 5-5, if adopted, makes the prohibition on public display of certain non-domesticated animals in section 5-6 duplicative and thus unnecessary.

Proposed Amendments to Article II of Chapter 5

The Task Force's recommended amendments are inserted and underlined, and text that would be eliminated is indicated by strikethroughs.

ARTICLE II. DOGS AND CATS[1]

5-13 Definitions.

The following definitions shall apply to this article:

"At-large" shall mean not under the control of the ~~owner~~ guardian, a member of the guardian's immediate family, or the guardian's agent ~~or another individual either~~ by leash~~, cord, chain~~ or other similar means of physical restraint.

"Dog" shall include both male and female of the canine species. Dog shall also mean any animal ~~which~~ who is considered to be a wolf-hybrid as defined in 20 V.S.A. § 3541(6).

"Cat" shall include both male and female of the feline species.

"Enforcement official" when used herein shall mean any animal control officer, police officer, ~~poundkeeper~~ shelter manager, urban park ranger or other individual specifically designated by the city council to enforce the provisions of this chapter.

"~~Owner~~ Guardian" shall include any person or persons, firm, association or corporation owning, keeping or harboring a dog or cat.

"~~Vicious~~ Dangerous dog" shall mean a dog ~~which~~ that attacks or bites a person or other ~~domestic pet~~ companion animal while the dog is off the premises of the ~~owner~~ guardian or keeper, and the person or ~~pet~~ companion animal attacked or bitten requires medical attention. ~~Vicious~~ Dangerous dog complaints shall be investigated pursuant to section 5-27(b).

(Ord. of 6-23-97; Ord. of 4-17-00; Ord. of 4-17-23(1))

5-14 Identification required.

Identification that includes the name and contact information for the guardian of the dog or cat shall be securely attached to a collar or harness and worn at all times.

5-~~14~~ 15 At-large prohibited.

(a) *Prohibition.* Except as exempted below, no person shall permit a dog or cat for whom they are the guardian ~~him or her~~ or who is under ~~his or her~~ their control to be at-large as defined in section 5-13 or to trespass upon the property of another, public or private.

(b) *Public Safety.* Should an at-large dog or cat be deemed to pose an imminent public safety risk, said animal may be killed by the Police Department or their designee. Such an act shall occur where other reasonable means to control the animal have been unsuccessful or deemed not practicable under the circumstances.

(c) *Exemptions.* A dog or cat ~~may be~~ is not at-large if ~~it is~~ they are:

(1) On the premises of the dog's or cat's ~~owner~~ guardian;

(2) On the premises of the person under whose control the dog or cat is under; or

(3) On the premises of another person as long as that person has given permission for the dog or cat to be at-large~~;~~.

(4) A dog is not at-large if they are ~~i~~in a designated off-leash dog area managed and regulated by the board of parks and recreation commissioners.

(Ord. of 6-23-97; Ord. of 4-17-00; Ord. of 9-10-12(1))

5-~~15~~16 License and rabies vaccination required.

(a) *Licensing.* Every ~~owner or keeper~~ guardian of a dog or cat more than six (6) months old who has resided in the city for more than 90 days, shall be required to ~~annually~~ register and license the animal, in the manner prescribed by the city, with the city clerk's office and to do so annually provided that no guardian shall be required to register a dog or cat more than once in any calendar year. The license shall expire on the first day of April next after its issuance. Upon issuance of such license and payment of the license fee as required in section 5-17 of this chapter, each ~~dog owner~~ guardian shall receive a ~~dog~~ license tag.

(b) *Rabies vaccination.* Proof of a current rabies vaccination, as required by state law, shall be required for the licensing of any animal.

(c) *Fixture of tag.* The ~~dog~~ license tag issued to any person as provided herein shall be securely attached to a collar or harness on such licensed dog or cat and worn at all times.

(Ord. of 6-23-97; Ord. of 8-14-00; Ord. of 6-4-07, eff. 7-4-07)

State law reference—Control of rabies 20 V.S.A. § 3801 et seq.; immunization required, 20 V.S.A. § 4003.

5-~~16~~17 License fees.

(a) In addition to the license fee and any penalty fee required by state law, the municipal fee for each license required by this article shall be ~~twenty dollars ($20.00) for each neutered/spayed dog and forty dollars ($40.00) for each non-neutered/non-spayed dog.~~ recommended by the city clerk's office and approved by the city council, provided that the fee for an intact dog or cat shall be greater than that for a neutered or spayed dog or cat. The fees established under this section shall be reviewed not less than every five years.

(b) The municipal fees collected under this section shall be used for education and other services pertinent to the improved welfare of dogs and cats who reside in the city.

~~(b)~~ (c) The ~~owner or keeper~~ guardian of a neutered/spayed dog that serves as the person's service animal under the Americans with Disabilities Act may request waiver of the municipal license fee (but not the state fee) by providing to the city clerk's office adequate responses to the following questions in writing:

- Is the dog a service animal required because of a disability?
- What work or task has the dog been trained to perform?

(Ord. of 6-23-97; Ord. of 6-25-01; Ord. of 6-4-07, eff. 7-4-07; Ord. of 2-16-21)

State law reference—Similar provisions, 20 V.S.A. § 3581.

5-~~17~~18 Removal of dog waste required.

The ~~owner, keeper~~ guardian or person in control of any dog or cat shall be responsible for the removal of any defecation deposited by such dog or cat on any public or private property.

(Ord. of 6-23-97)

5-~~18~~19—5-23 Reserved.

Discussion

The title of Article II is revised to reflect the recommended addition of cats to specified sections of the Article.

Section 5-13

Section 5-13 adds a definition of "cat" and updates the definition of "guardian" accordingly.

Section 5-14

Section 5-14 is a new section that requires dogs and cats to wear identification that includes the name and contact information for the guardian. This requirement serves to protect companion animals, and benefits animal control efforts and public safety as well.

Rhode Island summarizes the benefits of such an ordinance in the preamble to a state law that requires identification for cats.[16] Specifically, the Rhode Island legislature determined that:

> (1) Cat identification would provide cats protection under the law, equal to that afforded dogs, by establishing ownership which, in turn, would encourage cat owners to take full responsibility for their pets' welfare.
>
> (2) [Already required in Vermont] Cat identification would protect cats, as dogs are now protected, by establishing minimum holding periods for cats released to and/or impounded by municipal animal control facilities and private animal shelters.
>
> (3) A program to require cat identification should facilitate the return of lost, owned cats.
>
> (4) Cat identification would provide a method to help distinguish between owned and unowned cat populations thus assisting animal control officers and animal shelters in carrying out their mission.
>
> (5) Cat identification would advance the reduction of the untold suffering of cats at-large in our state by helping to insure the quick return of injured and sick animals to their owners.
>
> (6) Passage of this bill would reduce the number of unowned cats and increase education to owners as to the need for sterilization of cats, thereby reducing unwanted litters, eliminating cat over-population problems, and reducing the costs to cities and towns for euthanizing at-large or unowned cats.
>
> (7) Cat identification would help support public health and safety in the control of rabies.[17]

These same public purposes are advanced when dogs are required to wear identification.

<u>Section 5-15</u>

Section 5-15 as currently written prohibits at-large dogs. The proposed amendment includes cats in this prohibition. The Task Force recognizes that this recommendation falls outside the scope of its mandate but considers the amendment necessary for the welfare of cats, the protection of wildlife, and public safety. The American Veterinary Medical Association ("AVMA") provides a Model Dog and Cat Control Ordinance that requires all dogs and cats "be kept under restraint" for these very reasons.[18] A number of municipalities

[16] R.I. Gen. Laws § 4-22-1.
[17] *Id*.
[18] American Veterinary Medical Association, "Model Dog and Cat Control Ordinance," sec. V(a), https://www.avma.org/sites/default/files/resources/Model-Dog-Cat-Control-Ord-Policy.pdf; American Veterinary Medical Association, "Free-roaming, owned cats," https://www.avma.org/resources-tools/avma-policies/free-roaming-owned-cats.

in Vermont, for example South Burlington, Shelburne, and Stowe, have followed the AVMA's lead and prohibit at-large cats and/or include at-large cats in the definition of "nuisance animal," and impose fines and/or permit their impoundment.[19]

The Welfare of Cats: As the AVMA and other authorities recognize, free-roaming cats are likely to have a reduced life span and may be exposed to injury, suffering, and death from vehicles, attacks from other animals, disease, cruel acts by humans, poisons, traps, and weather extremes.[20] Burlington's resident cats have not escaped these harms.[21]

The Protection of Wildlife: The American Bird Conservancy succinctly summarizes the detrimental and deadly impact of free-roaming cats on native species of wildlife:

> Outdoor domestic cats are a recognized threat to global biodiversity. Cats have contributed to the extinction of 63 species of birds, mammals, and reptiles in the wild and continue to adversely impact a wide variety of other species, including those at risk of extinction, such as Piping Plover ...The ecological dangers are so critical that the International Union for Conservation of Nature (IUCN) lists domestic cats as one of the world's worst non-native invasive species.[22]

In the United States, it is estimated that outdoor cats kill approximately 2.4 billion birds every year, earning the distinction of the number-one direct, human-caused threat to birds.[23] Between 6.9 to 20.7 billion small mammals are killed by cats each year, and researchers

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[19] South Burlington, Vermont, "Care & Control of Dogs & Cats Ordinance," Town Ordinance, Vol. 1, pg. 159-165, sec. 3, https://cms6.revize.com/revize/southburlington/document_center/city%20regulations/Care_and_Control_of_Dogs_and_Cats_Ordinance.pdf; Town of Shelburne, "An Ordinance for the Care and Control of Animals," Town Ordinance, Vol. 1, pg. 3-32, sec. 2(g) and sec. 4(a), https://www.shelburnevt.org/DocumentCenter/View/103/Animal-Control-Ordinance; Town of Stowe, Vermont, "Animal Control Ordinance," Municipal Code, Chapter 2, Article III, https://www.townofstowevt.org/vertical/Sites/%7B97FA91EA-60A3-4AC6-8466-F386C5AE9012%7D/uploads/Animal_Control_Ordinance_Final_2015_SIGNED.pdf.

[20] *E.g.* AVMA, "Free-roaming, owned cats," *supra*, n. 1.

[21] *E.g.*, New England Cable News, "Boy Cited After Allegedly Hanging Cat From Tree in Burlington, Vermont," Nov. 17, 2016, https://www.necn.com/news/local/vermont/boy-cited-after-allegedly-hanging-cat-from-tree-in-burlington-vermont/41056/; Burlington Vermont Police Department Incident Reports document an instance in which a cat was injured in a leghold trap and left to stagger off and suffer after their release.

[22] American Bird Conservancy, "Indoor Cats," https://abcbirds.org/program/cats-indoors/cats-and-birds/ (also providing links to scientific literature on the issue); *see also*, Wildlife Center of Virginia, "Untamed - The Case for Indoor Cats. https://vermont.pbslearningmedia.org/resource/case-for-indoor-cats-video/untamed-the-wildlife-center-of-virginia/ (also addressing the welfare of cats, zoonotic diseases, and ways to transition free-roaming cats to the indoors).

[23] *Id.*, American Bird Conservatory.

believe that between 258 to 822 million reptiles and 95 to 299 million amphibians may suffer the same fate.[24]

Burlington is an environmentally conscious community, and the Task Force suggests that a prohibition on free-roaming cats is simply good environmental stewardship.

Public Safety: The scientific literature documents that free-roaming cats pose a significant threat to public health because they can carry and transmit a number of zoonotic viruses, bacteria, and parasites, such as rabies and toxoplasmosis.[25] Notably, according to Peter Marra, a professor of biology and the environment at Georgetown University, "[d]ogs used to be the primary way humans picked up rabies from domestic animals … [b]ut we started licensing dogs and requiring leash laws and rabies vaccines. Now, dogs are not the problem at all—it's primarily cats."[26]

The Task Force recommends that the city prohibit free-roaming cats for the reasons stated herein.

Section 5-16

Section 5-16 extends the requirement for a license to cats. Such requirements have been shown to improve the welfare of cats, increase public safety, and enhance the quality of life in their communities, much like the identification requirements discussed above. Municipalities across the country have implemented cat-licensing requirements, including jurisdictions in Vermont such as South Burlington and Shelburne.[27]

The Task Force recommends that the city require licenses for cats for the reasons stated herein.

Section 5-17

[24] Smithsonian Magazine, "Feral Cats Kill Billions of Small Critters Each Year," Jan. 29, 2013, https://www.smithsonianmag.com/science-nature/feral-cats-kill-billions-of-small-critters-each-year-7814590/#:~:text=Based%20upon%20data%20taken%20from,needed%20to%20verify%20those%20extrapolations

[25] *E.g.*, R. W. Gerhold and D. A. Jessup, "Zoonotic Diseases Associated with Free-Roaming Cats," Zoonosis and Pubic Health, 2012, https://abcbirds.org/wp-content/uploads/2015/07/Gerhold-and-Jessup-2012-Zoonotic-diseases-and-free-roaming-cats.pdf.

[26] Kristine Liao, "Outdoor cats are deadly—and not just for birds and squirrels," Popular Science, May 31, 2022, https://www.popsci.com/environment/outdoor-cats-spread-diseases/.

[27] South Burlington Town Ordinance, *supra* n. 4, sec. 4(A); Town of Shelburne Ordinance, *supra* n. 4, sec. 12(a).

Section 5-17 requires fees for dog and cat licenses to be reviewed no less frequently than every five years, and for the revenue to be used for education and other services pertinent to the improved welfare of dogs and cats who reside in the city. Anecdotal evidence suggests that more residents will comply with the licensing requirement if the fees are used to provide companion animal-related services.

Adequate low-cost spay/neuter options

There is consensus among those knowledgeable about companion animal overpopulation that communities must take the important step to provide adequate safe, affordable, voluntary spay/neuter programs that are readily accessible to the community, and that focus on education and incentives to encourage participation by those sectors of the community most in need of the service.[28]

The Humane Society of Chittenden County's (HSCC) Community Pet Clinic provides a low-cost spay and neuter service and administers a fund to assist residents who cannot afford the service.[29] Task Force member Nina Hurley, who serves on the HSCC's Board of Directors, advises that the clinic is at capacity. The Task Force recommends that the City consult with the HSCC to assess whether the City should provide support to the clinic and/or establish an additional, independent spay/neuter program.

[28] *See, e.g.*, American Society for the Prevention of Cruelty to Animals, "Position Statement on Mandatory Spay/Neuter Laws," https://www.aspca.org/about-us/aspca-policy-and-position-statements/position-statement-mandatory-spayneuter-laws#:~:text=ASPCA%20Position,means%20to%20reduce%20shelter%20intake.

[29] Humane Society of Chittenden County, "Spay-Neuter at the Community Pet Clinic," https://www.hsccvt.org/SNClinic.

Proposed Amendments to Article III of Chapter 5

The Task Force's recommended amendments are inserted and underlined, and text that would be eliminated is indicated by strikethroughs.

ARTICLE III. ENFORCEMENT AND IMPOUNDMENT

5-24 Penalties.

An offense of any provision of this chapter by any person shall be deemed a civil ordinance violation and shall be punishable by the following penalties:

(1) *First offense.* A first offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of no less than ~~one~~ two hundred dollars ($~~1~~ 200.00) and no more than ~~one~~ two hundred fifty dollars ($~~1~~250.00). The waiver fine shall be ~~one~~ two hundred dollars ($~~1~~ 200.00).

(2) *Second offense.* A second offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of no less than ~~one~~ two hundred fifty dollars ($~~1~~250.00) and no more than ~~two~~ three hundred fifty dollars ($~~2~~350.00). The waiver fine shall be ~~one~~ two hundred fifty dollars ($~~1~~250.00).

(3) *Third and subsequent offenses.* A third or subsequent offense of any provision of this chapter in any twelve-month period shall be punishable by a fine of no less than ~~two~~ three hundred fifty dollars ($~~2~~350.00) and no more than ~~five~~ six hundred dollars ($~~5~~600.00). The waiver fine shall be ~~two~~ three hundred fifty dollars ($~~2~~50.00).

In addition to the penalties provided in this section~~,~~:

(1) Any person found in violation of this chapter may be subject to a restorative justice process with the Burlington Community Justice Center at the discretion of the animal control committee.
(2) ~~a~~Any animal found in violation of this chapter may be impounded as provided in section 5-25 of this chapter.

(Ord. of 6-23-97; Ord. of 6-4-07, eff. 7-4-07)

5-25 Impoundment.

(a) *Authority to impound.* ~~Dogs~~ Any animal in violation of any provision of this chapter or suspected of being diseased or injured may be taken by the enforcement officer and impounded in the city ~~pound~~ animal shelter and there confined in a humane manner, except that any animal suspected of being a stray shall be impounded. ~~The enforcement officer may, in lieu of boarding and when in the public interest and consistent with the public safety, allow an impounded dog to remain confined in the custody of its owner on the owner's recognizance that the dog shall remain confined to the owner's property, follow the terms of impoundment set by the enforcement officer and shall not be in violation of any provision of this chapter.~~

~~Confinement in lieu of boarding shall continue until such time as the violation or condition authorizing impoundment has been abated~~.

(b) *Impoundment fees.* Any ~~dog~~ animal impounded under the provisions of this chapter shall be released only on payment of a ~~seventy-five~~ one hundred dollar~~s~~ ($~~75~~100.00) impoundment fee.

(c) *Boarding fee.* In addition to the impoundment fee charged herein there shall be an additional charge of ~~ten dollars ($10.00)~~ actual expenses ~~per day~~ for board for ~~each day~~ the period that the ~~dog~~ animal is impounded~~,~~. ~~except that if an animal is claimed up to three (3) hours after impoundment, the owner will be responsible for one-half (1/2) day's boarding fee. If an animal is claimed within two (2) hours of opening business hours on the following business day, the owner will not be charged for that day's boarding fee.~~

(d) *City clerk to collect fees before releasing ~~dog~~ animal.* It shall be the duty of the city clerk to collect all impound and boarding fees before releasing an ~~dog~~ animal.

(e) *Unlicensed dogs and cats to be licensed before release.* If an impounded dog or cat is unlicensed, in addition to the impound~~ing~~ment and boarding fees set forth herein, the dog or cat shall not be released without the payment of the license fee required by section 5-17, except that if the impounded dog or cat has not had its proper vaccinations to be registered a ~~forty-five~~ one hundred dollar ($~~45~~100.00) cash deposit shall be posted with the city clerk or ~~his or her~~ their designated agent(s) until proof of registration is presented. A dog or cat released under cash deposit shall be registered within two (2) working days after ~~its~~ release. If the dog or cat is not registered within the time period set forth herein, the cash deposit shall be forfeited and the ~~owner~~ guardian of the animal shall be subject to additional penalties under the provisions of 20 V.S.A. Chapter 193

(f) *Disposition of unredeemed ~~dogs~~ animals.* If any impounded ~~dog~~ animal ~~with a current and effective license established by proof of a dog license tag,~~ is not redeemed within (7) days of ~~its~~ impoundment, ~~it~~ the animal shall be ~~sold or given away~~ offered for adoption at the city animal shelter or transferred to a cooperating animal shelter as defined in 20 V.S.A. § 3901. ~~If any impounded dog without a current and effective license established by proof of a dog license tag, is not redeemed within (5) days of its impoundment, it shall be sold or given away. Any proceeds from the sale of any impounded dog shall first be allocated to taxes, fees and other charges related to the impoundment. Any balance then remaining shall be paid to the owner if any is found. If proceeds from the sale of the unredeemed dog do not cover the costs associated with the impoundment, the balance of sums owed under this chapter may be collected in a civil action brought under this section.~~ If any unredeemed ~~dog~~ animal is not ~~sold or given away~~ adopted because of disease, temperament or other cause, it shall be ~~destroyed in a humane way~~ euthanized. The impoundment period may be waived by the ~~poundkeeper~~ director of the animal shelter in the case of a severely injured animal whose ~~owner~~ guardian cannot be located or is unwilling to claim the animal.

(g) *Interference with impoundment.* Any person who interferes with the impounding of an ~~dog~~ animal under provisions of this article or releases, or who attempts to release~~,~~ an impounded ~~dog~~ animal contrary to this article shall be in violation of this chapter.

(h) *Notice of impoundment.* Within twenty-four (24) hours of the impoundment of any ~~dog~~ animal under this chapter, the enforcement officer shall make every reasonable attempt to notify the ~~owner~~ guardian of the impounded ~~dog~~ animal of such impoundment. Such notice shall include either personal contact with the ~~owner~~ guardian or a written notice posted at the dwelling house of the ~~owner~~ guardian.

(Ord. of 6-23-97; Ord. of 6-4-07, eff. 7-4-07)

State law reference—Notice by impounder, 20 V.S.A. § 3413.

5-26 Cruelty.

Any person who shall torture, torment or cruelly neglect to provide with necessary sustenance or shelter, or shall cruelly beat or needlessly mutilate or illegally kill any animal, or any person who shall cause any animal to be tortured, tormented, or fight with other animals, or deprived of necessary sustenance or to be cruelly beaten or needlessly mutilated or illegally killed shall be guilty of a misdemeanor offense and shall be punishable by a fine of from ~~one~~ three hundred dollars ($~~1~~300.00) to ~~five~~ six hundred dollars ($~~5~~600.00).

(Ord. of 6-23-97)

5-27 Animal control committee.

(a) *Animal control committee established.* For purposes of this section, an animal control committee is established. The animal control committee will be a subcommittee of the Burlington Police Commission and shall consist of three (3) commission members, one (1) licensed veterinarian, and (1) certified animal behavior professional to be appointed on an as needed basis by the chair of the Burlington Police Commission. The designated animal control officer shall be the prosecuting officer for any violation brought before the committee.

(b) *~~Vicious~~ Dangerous dogs.* Upon written complaint by a city resident that a dog is alleged to be ~~vicious~~ dangerous as defined in section 5-13~~(c)~~, the animal control committee may hold a hearing on the facts of the complaint and, if the dog is found to be ~~vicious~~ dangerous, make such order as necessary to protect the public. Such order may include, but is not limited to, any of the following: confinement in a secure enclosure or other similar restriction, muzzling adoption, or ~~destruction in a humane manner~~ euthanasia. In addition, the animal control committee may revoke the privilege of any ~~owner~~ guardian to keep, harbor or have custody of any animals while in the city and that no new privileges be granted.

(c) *Repeated impoundment.* In the event that any dog shall be impounded three (3) or more times in a twelve-month period, the animal control committee may, at the request of an enforcement officer, or in their discretion, hold a hearing after which they may make such order as is necessary to protect the public. Such order may include, but is not limited to, any of the following: confinement in a secure enclosure or other similar restriction, muzzling adoption, or ~~destruction in a humane manner~~ euthanasia. In addition, the animal control committee may revoke the privilege of any ~~owner~~ guardian to keep, harbor or have custody of any animals while in the city and that no new privileges be granted.

(d) *Penalty for violation of orders.* Any person who violates any provision of any order of the animal control committee shall be guilty of a misdemeanor offense and shall be punishable by a fine of from ~~one~~ three hundred dollars ($~~1~~300.00) to ~~five~~ six hundred dollars ($~~5~~600.00).

(Ord. of 6-23-97; Ord. of 8-14-00)

5-28 Confinement of animals in vehicles.

(a) A person shall not leave an animal unattended in a standing or parked motor vehicle in a manner that would endanger the health or safety of the animal.

(b) Any ~~humane~~ animal control officer, law enforcement officer, or member of a fire and rescue service may use reasonable force to remove any such animal from a motor vehicle. The officer may not be subject to criminal or civil liability for any damage resulting from actions taken under subsection (a) of this section. If the aforementioned officers are unavailable, a person who forcibly enters a motor vehicle for actions taken under subsection (a) of this section shall not be subject to criminal or civil liability for damage resulting from the forcible entry if the person: (1) determines the motor vehicle is locked or there is otherwise no reasonable method for the animal to exit the vehicle; (2) reasonably and in good faith believes that forcible entry into the motor vehicle is necessary because the animal is in imminent danger of harm; (3) notifies a humane officer, law enforcement officer, or member of a fire and rescue service prior to forcibly entering the vehicle; (4) remains with the animal in a safe location reasonably close to the motor vehicle until a humane officer, law enforcement officer, or member of a fire and rescue service arrives; (5) places a notice on the vehicle that the authorities have been notified and specifying the location of the animal; and (6) uses no more force to enter the vehicle and remove the animal than necessary under the circumstances. ~~The~~ An officer shall deliver the animal to a humane society, veterinarian or the city ~~town or municipal pound~~ animal shelter. If the ~~owner~~ guardian of the animal cannot be found, the officer shall place a written notice in the vehicle, bearing the name of the officer and the ~~department and~~ address where the animal may be claimed. The ~~owner~~ guardian shall be liable for reasonable expenses associated with the removal, delivery, boarding and disposition of the animal and a lien may be placed on the animal for these expenses. (c) A violation of this section shall be a civil violation subject to the penalties imposed by Section 5-24.

5-29 Abandonment of injured animal

(a) A person shall not leave the scene of an accident in which such person has reason to believe that they have caused the injury or death of a domestic animal. Such person shall immediately contact an enforcement officer, and make a reasonable effort to immediately contact the guardian of the animal. If the animal is injured wildlife, the person shall contact a humane officer or a licensed wildlife rehabilitator for assistance.

(b) A violation of this section shall be a civil violation subject to the penalties imposed by Section 5-24.

Discussion

Section 5-24

Section 5-24 increases penalties for civil violations of the Chapter 5 and adds restorative justice measures as permissible additional penalties.

Section 5-25

Section 5-25(a) extends the authority to impound to any animal in violation of the chapter or suspected of being diseased or injured, and requires impoundment of any animal suspected of being a stray.

Section 5-25(b) increases the impoundment fee.

Section 5-25(c) replaces the specified boarding fee with the requirement that the fee reflect actual expenses.

Section 5-25(d) extends the city clerk's authority to collect impoundment and boarding fees regardless of the species involved.

Section 5-25(e) requires unlicensed cats, as well as dogs, to be licensed before release.

Section 5-25(f) removes the authority to sell or give away unredeemed animals and replaces it with the authority to offer these animals for adoption through a shelter.

Sections 5-25(g) and (h) extend the prohibition on interference with impoundment and the requirement for notice of impoundment to all animals regardless of species.

Section 5-26

Section 5-26 increases the fines for cruelty to animals.

Section 5-27

Section 5-27(a) adds a licensed veterinarian and a certified animal behavior professional to the animal control committee to be appointed to serve on an as-needed basis. This will ensure that the committee has access to the expertise needed to properly resolve the cases that come before it, such as dangerous dog hearings.

Section 5-27(d) increases the penalty for violations of an order of the animal control committee.

Section 5-28

Section 5-28 authorizes any person to use reasonable force to remove an animal from a vehicle when the health and safety of the animal is at risk, but only when a humane officer, law enforcement officer, or member of a fire and rescue service is unavailable. The Task Force views this amendment as necessary to address situations in which the animal may be in distress and officials are not immediately available. The language of the amendment tracks the language of the similar state law.

Section 5-29

Section 5-29 is a new section that requires a person who has injured or caused the death of an animal to remain at the scene and to contact an enforcement officer. It further requires such person to make a reasonable effort to contact the animal's guardian should it appear that the animal has a guardian, and to contact a humane officer or wildlife rehabilitator if the animal is injured wildlife.

Proposed Amendments to Section 22-13 of Chapter 22

The Task Force's recommended amendments are inserted and underlined, and text that would be eliminated is indicated by strikethroughs.

Chapter 22 - Sec. 22-13. - Animals prohibited; exception

No domestic animals, except dogs and cats, shall be permitted in any park. Dogs shall be leashed or controlled by other similar means of physical restraint at all times, except in off-leash areas designated in the Off-Leash Dog Policy. Cats shall be leashed or confined in a carrier at all times.

Discussion

Section 22-13

If Chapter 5, Article II, section 5-15 is amended to prohibit at-large cats, as recommended, section 22-13 would provide an alternative means for guardians to provide an outdoor experience for the cats under their care.

Appendix D: Detailed Licensing Information

Licensing Program: The Task Force performed a detailed review of licensing data and trends and found that licensing rates in Burlington are low compared to neighboring cities with smaller populations. In 2022, for example, Shelburne was estimated to have a population of 7871, with 763 licensed dogs (9.68%) in FY2022. Burlington, by comparison, was estimated to have a population of 44,595 and 912 licensed dogs (2.04%) — a difference of 7.64%.

The Task Force also compared licensing trends over time in Burlington. In 2012, Burlington had 1255 dogs licensed, while in 2022 it was only 826 despite the fact that the population in Burlington has increased over that time, from 42671 to 44595[30].

The American Veterinary Medical Association (AVMA) tracks dog guardianship trends[31] and estimates that 45% of US households have at least 1 dog, and the percentage owning at least one dog increased from 38% to 45% between 2016 and 2020 (and leveled off by 2022). Home ownership and household income impact the rate of dog guardianship and dog populations are essentially being influenced by the overall economy. With 17,174 households in Burlington between 2017-2021[32], the number of dogs in Burlington may be estimated at 7728 using the national rate of 45%. This is likely to be a conservative estimate, as many Burlington homes have more than one dog.

The AVMA also indicates that cat guardianship is on the rise as well: "The percentage of households that own at least one cat increased slightly between 2016 and 2020, from 25% to 26%, and then increased to 29% in 2022." Based on this, we estimate that there may be at least 4980 companion cats in Burlington (not including feral cat colonies).

If all estimated cats and dogs in Burlington were licensed, the revenues at current licensing fee of $27 per dog would be $276,996.51 per fiscal year. Assuming 100% is unattainable, we looked at how much could be raised if we made an effort to increase licensing numbers similar to area communities such as South Burlington.

[30] 2012 and 2022 population estimates for the City of Burlington, VT came from census.gov
[31] https://www.avma.org/news/pet-ownership-rate-stabilizes-spending-increases
[32] https://www.census.gov/quickfacts/fact/table/burlingtoncityvermont/HSD410221#HSD410221

Table 2. Comparison of FY2022 Actual Licensing Revenues in Burlington to Projected increased revenues from increasing licensing numbers, based on the estimated numbers of dogs and cats in Burlington.

	Projected revenues from successfully licensing 100% dogs and cats	Projected revenues from licensing 35% dogs 15% cats ("realistic")*	FY 2022 Revenues from Dog Licenses (11.8% dogs and 0% cats)	Projected Revenue increase ("realistic")
Dogs (7728)	$ 208,664.10	$ 74,180.09	$ 24,624.00	$ 49,556.09
Cats (3927)	$ 68,332.41	$ 20,614.62	$ 0.00	$ 20,614.6
Total $	$ 276,996.51	$ 94,794.71	$ 24,624.00	$ 70,170.71

**South Burlington has an estimated 35% licensing rate for dogs and 15% licensing rate for cats*

Below is more detailed information on licensing trends in neighboring cities from FY2018 – FY2022, showing how Burlington's numbers have decreased compared to those of neighboring cities. We also show licensing numbers in comparison to population estimates and estimated numbers of dogs and cats, as well as detailed information on neighboring communities' efforts to increase education/outreach concerning dog and cat licensing.

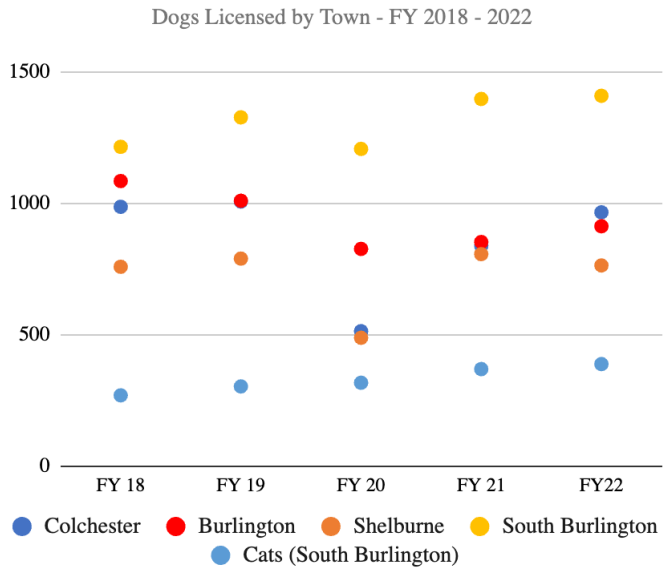

Fig. 2 Burlington's licensing numbers have fallen while its population has increased.

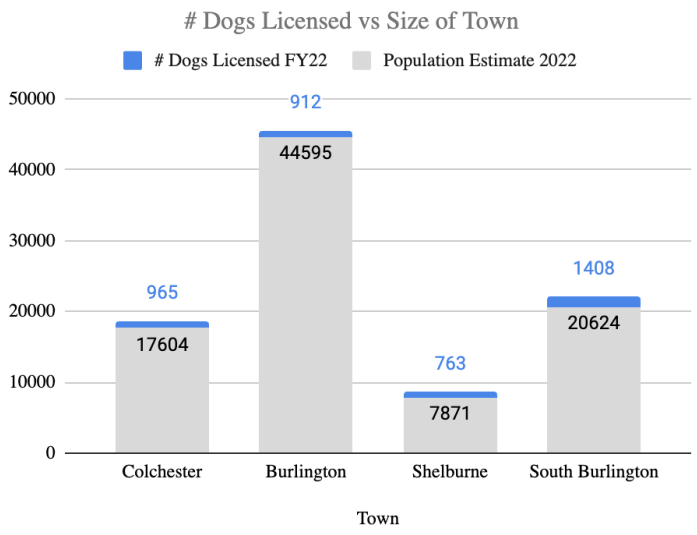

Fig. 3 Comparison of Licensing Numbers to Town Size. In FY 2022 Burlington had the lowest proportion of licenses (912) to its population (44,595), compared to neighboring towns. Shelburne had the highest (9.69%), followed by South Burlington (6.83%) and Colchester (5.48%).

Appendix E: Compliance, Reporting, and Enforcement Challenges

The Task Force recommends the City appoint a dedicated, certified animal control officer, or officers, within the Burlington Police Department ("BPD"). Burlington has not had an Animal Control Officer since 2008[33]. Currently, limited animal control functions are performed by the community service officers (CSOs) at the BPD. CSOs are not required to have experience or training specific to animal control functions, such as animal handling, care, and welfare.[34] They are not tasked with handling cat-related incidents (except for removing deceased cats and checking for rabies vectors), and are not adequately able to address the increasing number of dog incidents. For example, residents who are bitten by an unfamiliar dog bear the burden of identifying the guardian of that dog in order to get any action from the police, even if that person fled the scene. Without investigative resources and training, CSOs are not positioned to be a resource to help those residents.

Another issue the Task Force found was in both a lack of accessibility to effective reporting, and an understanding of how and what to report:

- *Inaccessibility of reporting.*
    - *Phone limitation for in-progress incidents.* Reports are typically called into the Police Department. If any other means of reporting is used (contacting CSO email address (cso@bpdvt.org), See Click Fix, Burlington Police website's online incident report form), the CSOs might not see these as quickly as they would if they are managed by Dispatch responding to a phone call. Thus reporting an emergent animal issue or incident is inaccessible to anyone who cannot use a phone (hearing impaired, Deaf, doesn't have a phone, etc).
    - No clear category for animal-related incidents exists on the BPD website
    - No clear category for animal-related incidents exists on See Click Fix, which is commonly used by residents to enable other city departments to quickly resolve issues.
- *Reports not made by residents because*
    - Fear of getting neighbors in trouble

[33] *Source:* Shannon Trammell, executive manager, Burlington Police Dept
[34] *See* City of Burlington, Community Service Officer Job Description, https://www.governmentjobs.com/careers/burlingtonvt/jobs/3045625/community-service-officer..

    - Distrust that the police can help or can be a resource to help
    - Lack of awareness of where to complain
    - Knowledge that currently BPD is not fully empowered to address these problems to residents' satisfaction (for example, incidents involving free-roaming cats are not currently addressed by BPD).
- *Hindrances to enforcement responsiveness.*
    - *Other (higher) priorities.* Other issues are prioritized for CSOs (e.g., car accidents), so even if the report is called in to be dispatched, they are still not always able to respond quickly. 62 reports were reported resolved with the response "gone on arrival"
    - *Not enough information.* Residents who do report issues don't always provide enough information or details for CSOs to be able to follow through and resolve the problem.
    - *Lack of investigative resources.* Residents who are bitten by an unfamiliar dog or cat bear the burden of identifying the guardian of that dog in order to get any action from the police, even if that person, cat or dog fled the scene. The Task Force learned from its BPD representative that BPD is not empowered to take the time and resources to find the guardian if the name and address are not known to the victim.
    - *Legal limitations.* Some problems or incidents that are reported by residents cannot be addressed by CSOs because the issue being reported (e.g., a welfare issue) may not actually comprise an ordinance violation, or because the individual responsible doesn't answer the door to respond to the CSO.

The Task Force recommends that the city retain an officer, or officers, whose sole duty is to respond to animal-related issues so that the city's animals and citizens are better served. The Task Force recommends that City animal control officers obtain certification in animal control and be required to participate in continuing education courses, through a national professional training program. In looking at available literature, Burlington is now of the size that it merits a full time animal control officer. The Task Force notes that some residents do not contact the Burlington Police Department as they may not be aware this is where complaints go, free-roaming cats are not addressed, and that people may not be

comfortable with calling the police with concerns about their neighbors or may be reluctant to report incidents. Please see additional discussion under the ordinance for Section 5-2a

In addition to the recommendation of a full-time animal control officer or officers, at times the City is not in compliance with the requirement to house stray companion animals due to space issues. Currently companion animals except birds, reptiles, and dogs are taken to the Humane Society of Chittenden County (HSCC). It is unclear if the City's current contractor for dogs, Lucky Puppies, will provide services in the future or have enough space in the future for the City's stray dogs. Because the HSCC and Lucky Puppies take in companion animals from other cities as well, space is an issue. The Task Force recommends that an animal shelter be within Burlington or close so that the shelter may be easily monitored and inspected by the Animal Control Officer.

The Task Force also recommends that the animal shelter follows the standards of care[35] set forth by the Association of Shelter Veterinarians. These standards include provisions of adequate shelter, population management, standards for animal handling, sanitation, prevention of pathogen spread, and attention to medical and behavioral health. Given that the City would be responsible for animals in its care, if the City does not have its own shelter it should still ensure that contracted providers follow these guidelines.

[35] The Association of Shelter Veterinarians' Guidelines for Standards of Care in Animal Shelters - Second Edition - December 2022: https://jsmcah.org/index.php/jasv/issue/view/2

Appendix F: Proposed Off-Leash Dog Ordinance and Off-Leash Dog Policy

Proposed Addition of Section 7 to City Ordinance Appendix D

In 2000 the City established a pilot program pertaining to off-leash dog areas that expired in 2003 with no apparent further action by the City.[36] The Task Force recommends that a new Section 7 of Appendix D be enacted to reflect current practices:

Appendix D

Sec. 7. - Off-leash dog opportunities

(A) *Off-Leash Dog Policy.* The Parks, Recreation and Waterfront Department (PRW) shall maintain an Off-Leash Dog Policy (OLDP) as approved by the Parks Commission. The policy may be modified by PRW with the approval of the Parks Commission. The OLDP shall govern the establishment of off-leash dog opportunities, except that permanent fenced dog parks shall be established by ordinance. The OLDP shall govern operations of off-leash dog opportunities and share enforcement authority with the animal control officer(s) as enumerated in this section.

(B) *Designation of Areas.* Areas shall be designated for the purpose of allowing dogs to be under control of the guardian or guardian's agent by means other than physical restraint. Opportunities shall include: fenced dog parks, water access, and field use on an hourly, seasonal, or year-round basis within reasonable walking distance of neighborhoods. Opportunities, where possible, shall be dispersed across the city. .

(1) Permanent off-leash fenced dog parks shall be located at:
    (a) Oakledge Park
    (b) Starr Farm Dog Park
    (c) Urban Reserve

(2) Off-leash dogs are prohibited at the following parks. Dogs in these parks must be leashed at all times:
    (a) Appletree Park
    (b) Arms Park
    (c) Baird Park
    (d) Battery Park
    (e) Bike path
    (f) Champlain Street Park
    (g) City Hall Park
    (h) Dewey Park
    (i) Ethan Allen Park

[36] City of Burlington, Vermont, Ord. of 9-23-02 https://www.codepublishing.com/VT/Burlington/#!/BurlingtonAxD/BurlingtonAxD.html (Pilot program. The rules of this section shall be in full force and effect for eighteen (18) months. The director of parks and recreation shall review the impacts of the designated off-leash areas and shall make a report to the city council after twelve (12) months of operation. Unless directed otherwise by the city council, these rules shall expire upon the end of the 18th month in which the rules were in effect.)

(j) Kieslich Park except for the portion known as “Texaco Beach”
(k) Lakeside Park
(l) Little Park
(m) MacKenzie Park
(n) North Beach
(o) Pomeroy Park
(p) Potvin Park
(q) Roosevelt Park
(r) Schifilliti Park
(s) Starr Farm Park except for the portion known as “Starr Farm Dog Park”
(t) Water Works Park
(u) Waterfront Park

(C) Public Information.

(1) PRW shall provide information about off-leash dog opportunities to include maps, hours, and references to rules & policies with onsite signage and through its website.
(2) PRW shall annually conduct a targeted campaign to educate the community about the City ordinances that pertain to off-leash dogs in general, and the the off-leash dog opportunities and associated rules and policies..
(3) Funds to implement Section C shall be made available to PRW from the fees collected pursuant to Article II Section 5-17.

(D) General Rules for All Areas Designated as Off-Leash Dog Areas.

(1) A person taking a dog into an off-leash area shall have the dog held on leash when entering and exiting the off-leash area.
(2) A person taking a dog into an off-leash area shall maintain voice, hand, or leash control over the dog at all times while the dog is in the off-leash area. Such person shall have in their possession a leash at all times.
(3) A person taking a dog into an off-leash area is responsible for all actions of the dog, shall keep the dog within their vision at all times, and shall remove the dog when their behavior is in violation of the City of Burlington Code of Ordinances, including but not limited to Appendix D Secion 7, or the PRW OLDP.
(4) The following are prohibited in off-leash dog areas:
    (a) Glass containers.
    (b) Female dogs in heat.
    (c) Excessive barking, howling, or other noise.
    (d) Bullying of other dogs.
    (e) Failure to remove feces; All feces shall be removed from the off-leash area and placed in the appropriate receptacle.
    (f) Unlicensed dogs; All dogs shall be licensed and display valid license tags.
    (g) Dangerous dogs as defined by Burlington Code of Ordinances, Article II, Section 5-13.
    (h) More than 3 dogs per person.
    (i) Children under 12 years of age unaccompanied by an adult.

(E) Enforcement.

(1) In addition to the penalties provided for by ordinance, a person or dog that violates the rules of this section is subject to ejection from the off-leash area as defined in the OLDP.

(2) In addition to the penalties provided for by ordinance, a duly authorized enforcement officer may impound a dog for a violation of the rules of this section or for activities determined to be a nuisance.
(3) In addition to the penalties provided for by ordinance, all violations of Appendix D and the OLDP include a restorative justice process with the Burlington Community Justice Center.

(F) Administration.

(1) Commercial Use of Parks. The PRW may issue a permit and charge a fee to allow for commercial use of off-leash dog areas by professional trainers, and for-profit and not-for-profit animal organizations. Portions of the off-leash dog areas shall remain available for unencumbered use by the public as off-leash areas during these events. Fees collected by PRW for commercial use shall be used for the establishment, operations, or improvements of designated off-leash dog areas. Commercial use of off-leash dog areas without a permit shall result in a fine as set for in Chapter 22 section 23 of the Burlington Code of Ordinances. Commercial use of off-leash dog areas may be further defined or modified by the OLDP.

Proposed Off-Leash Dog Policy (OLDP)

The following text has been drafted by the Dog Task Force as a proposed Off-Leash Dog Policy to be reviewed by the Parks Commission, and once an official OLDP is established, to be revised by the Parks Commission as needed.

OFF-LEASH DOG POLICY

Purpose:

This policy incorporates by reference all rules set forth in Appendix D of the Burlington Code of Ordinances.

Areas of Policy:

1) *Designation of Areas and Times of Operations*
2) *Additional Rules for Use of Off-Leash Fenced Dog Areas*
3) *Rules for Commercial Use of Off-Leash Dog Areas*
4) *Signage*
5) *Public Outreach & Enforcement*
6) *Operations*

1) *Designation of Areas and Times of Operations.*
The following areas are off-leash areas, as designated herein or on site:
a) *Fenced Dog Parks*
i) *Starr Farm Park (year-round).*
Times. The designated area may be used year-round from 8:00 a.m. to 8:00 p.m. or sunset, whichever is earlier.
ii) *Urban Reserve (year-round).*
Times. The designated area is open for off-leash use at any time.

iii) *Oakledge* Park (year-round)
Times. The designated area is open for off-leash use during the hours the parking lot is open for vehicle parking.

b) *Off-Leash areas (not fenced)*

i) *North End of Leddy Beach (year-round).* The area north of the northernmost entrance to Leddy Beach
Times. The designated area is open for off-leash use at any time.

ii) *Oakledge Cove (year-round).* The area of Oakledge Park known as Oakledge Cove
Times. The designated area is open for off-leash use at any time

iii) *Northshore Natural Area (year-round)*.
Times. The designated is open for off-leash use at any time

iv) *Blanchard Beach (seasonal)*. The area of Oakledge Park known as Blanchard Beach
Times. The designated area is open for off-leash use at any time between November - March

v) *Texaco Beach (year-round)*. The beach area of Kieslich Park known as "Texaco" Beach.
Times. The designated area is open for off-leash use at any time

vi) *Lower Calahan Park (year-round).* The area of Calahan Park that is bounded on the east by the sledding hill, north by Locust Street, west by Pine Street, and south by the park/neighborhood boundary excluding programmed areas such as baseball fields, roads/walks, etc.
Times. The designated area is open for off-leash use from 6:00 a.m. to 8:00 a.m.

vii) *Open Area of Schmanska Park (year-round).* The multipurpose field of Schmanska Park extending from the basketball court to the tennis court.
Times. The designated area is open for off-leash use from 6:00 a.m. to 8:00 a.m.

viii) *Open Area of Smalley Park (year-round)*. The multipurpose field excluding the programmed softball field.
Times. The designated area is open for off-leash use from 6:00 a.m. to 8:00 a.m.

ix) *Gravel Path of the Urban Reserve* The area of the Urban Reserve that is the maintenance access running parallel to the train tracks between the designated off-leash area signs on the northern and southern ends.
Times. The designated area is open for off-leash use at any time.

2) Community Expectations for Use of Off-Leash Fenced Areas

(1) In addition to the rules set forth in Appendix D, please observe the following guidelines:
    (a) Do not allow dogs to dig holes, except in an area designated for digging by the Parks, Recreation and Waterfront Department (PRW). The person accompanying the dog shall fill in any hole created by the dog prior to exiting the area.
    (b) Do not consume human food.
    (c) Do not feed other people's dogs.
(2) All gates to the dog park must be closed after entering and exiting.
(3) The priority use for off-leash dog parks is off-leash dogs. Please ensure that children do not interfere with the activities of dogs in the park.

3) *Community Expectations for Use of Unfenced Off-Leash Areas*

In addition to the rules specified in Appendix D, please observe the following guidelines:

(1) Ensure your dog is placed back on leash after leaving an off-leash dog area.
(2) Dog guardians should be respectful of other users using the space. This is a shared space, even during the times where dogs are allowed off-leash. The priority use for these areas is not necessarily dogs.
(3) Non-dog guardians should expect dogs may be running free in designated off-leash areas.

4) *Rules for Commercial Use of Off-Leash Fenced areas*
a) Commercial users are required to be a *Park Program* participant.
b) Commercial users are responsible for creating any boundaries, with temporary fencing or by other temporary means, required to meet their needs and that of the other users.
c) Commercial users are limited to twelve days per year exclusive of commercial uses that do not restrict other uses of the area.
d) No more than one commercial user may use the same dog park concurrently.
e) Off-leash dogs will be permitted to access any areas of the off-leash area that are not separated by temporary or permanent fencing.
f) With the exception of extraordinary circumstances, no more than 33% of an off-leash dog area shall be permitted to be restricted for commercial use.
g) Commercial use shall not interfere with standard entrances and exits from the off-leash dog area.
h) If any PRW staff time is required for the event, commercial users of the park are responsible for all costs related to the staff time. PRW staff will only be made available with the approval of the PRW Director
i) Commercial users will be responsible for all costs related to set-up, operations, security, and cleanup for all events.
j) Standard PRW Department requirements for reserving parks apply.

5) *Public Outreach & Enforcement.*
a) The PRW and the Police Department shall collaborate to educate and enforce the rules and policies applicable to off-leash dog areas,A person who violates any rules or policies applicable to off-leash dog areas on two (2) occasions within a twelve-month period shall be barred from taking any dog into the off-leash areas during the six (6) months subsequent to the second violation.

6) Operations
a) The PRW shall maintain a volunteer group that provides guidance and support for off-leash areas
b) The PRW Director may, upon a finding of need at a particular off-leash area, close the area to off-leash use. The reopening of such area is at the discretion of the Director. The Director shall post a notice indicating that the area has been closed for off-leash use at the entrance to the area and at other locations in the area if needed to give notice to the public of the closing.

Appendix G: Off-Leash Detailed Findings & Recommendations

The Task Force reviewed work from previous committees (see Appendix K) as well as current practices, ordinances and policies. The group also did a city-wide survey to solicit public opinion on areas proposed by previous committees (see Appendix I). Prior efforts to create off-leash areas were left uncompleted, as Section 7 of Appendix D in the City Ordinances expired.[37]

Table 3. Current and Proposed Off-Leash Areas for Dogs

	Current	Proposed
Off-Leash	3.5/520 acres Starr Farm Dog Park Waterfront Dog Park Texaco Beach	Add: ● Sections of Neighborhood Parks (Smalley, Calahan, Schmanska) 6-8am ● Sections of Natural Areas (Northshore, Urban Reserve) ● Beaches (Blanchard, North Beach wintertime only; Oakledge Cove & section of Leddy Beach all year) Keep: ● Starr Farm Dog Park, Waterfront Dog Park, Texaco Beach
On-Leash only (Neighborhood Park)	All Neighborhood Parks	Most Neighborhood Parks except for designated areas in Calahan, Schmanska, & Smalley Parks
On-Leash only (Conservation Area)	All Natural Areas	Same (all areas designated "Urban Wilds" - such as Arms Forest, Crescent Woods, Arthur Park, Ethan Allen Park, McKenzie Park, and Mount Cavalry Red Maple)
No Dogs Allowed	Cemeteries	Same (at the wish of Cemetery Commission)

Interactive map showing proposed off-leash areas

There is a strong desire from dog owners to have easy access to off-leash areas. More fenced in areas exclude non-dogs and their caretakers from spaces in our parks, and the City also lacks funds to build fenced in dog parks. Many communities have turned to unleashed dog areas to solve the issue of limited park spaces and the desire not to fence

[37] City of Burlington, Vermont, Ord. of 9-23-02 https://www.codepublishing.com/VT/Burlington/#!/BurlingtonAxD/BurlingtonAxD.html (Pilot program. The rules of this section shall be in full force and effect for eighteen (18) months. The director of parks and recreation shall review the impacts of the designated off-leash areas and shall make a report to the city council after twelve (12) months of operation. Unless directed otherwise by the city council, these rules shall expire upon the end of the 18th month in which the rules were in effect.)

these spaces, while providing a mechanism to better regulate and manage where dogs are off-leash and enforce regulations that they be on leash outside of off-leash areas. The question of creating unfenced off-leash dog areas elicits strong opinions both for and against.

Some neighboring cities have successfully created unfenced off-leash areas. South Burlington allows dogs to be under voice control at all parks and only requires leashes on South Burlington Recreation trails and at the following parks: Red Rocks, Vet Memorial, and Jaycee Park. Colchester's default policy is also off-leash, with dogs required on-leash only on sidewalks and the bike path. Winooski's policy is similar to Burlington's, where the default is on-leash only. But for similar reasons they are exploring the possibility of establishing another location or two where dogs can officially be allowed off-leash, then working to tighten up enforcement where it isn't allowed.

Some efforts were made to find alternative spaces to the park spaces overseen by Burlington Parks & Recreation.

- *Cemetery spaces.* The Task Force discussed the fact that some fenced in spaces in Burlington currently exist but are not available for dogs. The idea of using cemetery spaces as an urban solution is not new.[38] A proposal to work with the Cemetery Commission to consider the option of on-leash or off-leash use for dogs was unsuccessful. The Cemetery Commision heard the proposal, including the possibility of additional revenue and volunteer hands to maintain the cemeteries, but chose not to work with the Task Force to explore this concept.[39]

- *Spaces outside Burlington.* At the suggestion of City Councilmember Sarah Carpenter, [40] the Task Force looked beyond Burlington to understand what off-leash spaces were available (for those with cars who can drive). As noted above, our neighboring

[38] For example, see the Cemetery Dogs program at the Congressional Cemetery in Washington, DC - one quarter of the cemetery's operating income derives from donations by dog walking members and covers the costs of grounds maintenance contracts. Source: https://congressionalcemetery.org/dog-walking/
[39] *See* Burlington, VT Cemetery Commission meeting minutes from their April 20, 2023 meeting: https://burlingtonvt.portal.civicclerk.com/event/5294/files/7035
[40] *See* Burlington, VT City Council meeting minutes from their March 27, 2023 meeting: https://burlingtonvt.portal.civicclerk.com/event/2058/files/2159

communities of South Burlington and Colchester have much less restrictive leash laws, allowing off-leash use in their parks unless specifically restricted. In addition, South Burlington, Essex, Milton and Shelburne have fenced dog parks.

- *Former Landfill in the Old North End.* The Task Force also discussed the former landfill area at the top of Manhattan Ave. This area is currently being used by some residents as an off-leash area for dogs, but due to continued monitoring of environmental considerations cannot be officially set up for dogs at this time.

After reviewing the prior task force work, the results of the Spring 2023 survey, and consulting with the Cemetery Commission and directors of parks in neighboring towns, the Task Force recommends the following areas to the Parks Commission for piloting. More specific details are in the drafted Off-Leash Dog Policy.

Table 4. Recommended areas to pilot unfenced off-leash dog sections

Park	Time	Rationale
Smalley	6-8am	Significant requests from survey; limited use by youth in the mornings
Leddy Beach (north end)	All day	Slight in favor from survey, significant current use
Northshore	All day	Slight in favor from survey, significant current use
Calahan Park	6-8am	Slight in favor from survey, proposed area (lower field) is in a different location from the playground; significant current use
Schmanska Park	6-8am	Slight in favor, Recommended by 2013 task force, adds an area in the East end of Burlington, suggest morning only
Urban Reserve	All day	More in favor, off-leash connection to dog park and parking lot, will separate from bike path w/ clear signage on start/stop of off-leash areas
Blanchard Beach	November -March	Limited beach use in the winter.
North Beach	November -March	Limited beach use in the winter.
Oakledge Cove	All day	South end water access, helps curb existing off-leash use at Blanchard in the summer.

In addition to the above areas, the proposed fenced-in dog park in Oakledge Park was by far the most popular and most supported area with survey respondents. Future funding and significant planning would be needed to make this a reality.

Appendix H: Education Campaign

Part of the scope of the Task Force work mandated by the City Council resolution requested that Task Force members conduct an educational campaign around the following issues:

1. Off leash dogs in city parks, natural areas or beaches
2. Dogs attacking people or other dogs
3. Dog feces not being picked up
4. Dog barking contributing to noise pollution

All materials and research were developed using volunteer time and resources. Outreach was limited to available slots on the Parks Recreation and Waterfront (PRW) Front Porch Forum and social media accounts. The Task Force recommends some funding be allocated to educational outreach and that multiple city departments participate in the sharing of information on their social media accounts. The campaigns comprised of the following:

1. Leash Your Dog PSA for conservation reasons (wildlife, plants)[41]
2. Interview with Seven Days to address additional reasons for leashing your dogs (including prevent of attacks)[42]
3. April Stools Day PSA to encourage residents to pick up their dogs' feces[43]
4. Barking PSA to provide helpful tips to address barking and reduce noise pollution

The Task Force also explored the possibility of increasing licensing numbers through a limited social media drive,[44] and worked with the BPRW to create the Wag the Waterfront event.

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[41] As seen in PRW's Front Porch Forum post May 18, 2022: https://frontporchforum.com/areas/22/issues/4452#post_2786297

[42] Mullis, R. (Aug 9, 2023). One Burlingtonian's Journey to On-Leash Dog Ownership. Published in print as "Going to the Dogs | One Burlingtonian's journey to on-leash dog ownership" and online at https://www.sevendaysvt.com/arts-culture/one-burlingtonians-journey-to-on-leash-dog-ownership-38844346

[43] As seen in PRW's Front Porch Forum Post April 1, 2022: https://frontporchforum.com/areas/23/issues/5456#post_2747458

[44] Instagram reel created by task force members on volunteer time, and shared on PRW's Instagram account on March 21, 2023 to encourage residents to license their dogs and explain how to get their dogs licensed. https://www.facebook.com/reel/936523320687771

Proposed Annual Education Calendar

A proposed calendar to continue providing education on various topics was developed and is shown below, followed by details on the various public service announcements as well as the Wag the Waterfront event.

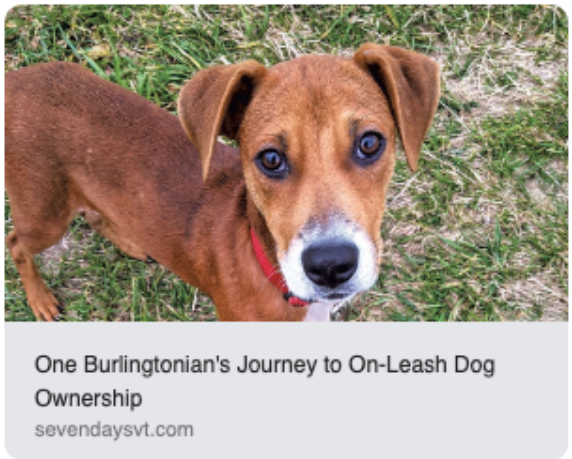
Legend:

PSA
Campaign/Drive
Event

JANUARY	FEBRUARY	MARCH
Barking PSA	Repeat Spay/Neuter PSA (February is S/N Awareness Month) Campaign/Drive: Dog Licenses Due April 1	Licensing Campaign Continues
APRIL	**MAY**	**JUNE**
Off-Leash PSA (Conservation) Picking up Poop PSA	Don't Leave Your Dog in the Car PSA Off-Leash Dog PSA (to avoid conflicts attacks)	Keep Your Dog Cool PSA Don't Leave Your Dog in the Car PSA (repeat July/Aug)
JULY	**AUGUST**	**SEPTEMBER**
Off-Leash Dog PSA (to avoid conflicts attacks) Dog Days Event *Church Street tie-in for pet friendly shopping areas or Burlington Farmer's Market on Pine St*	Off-Leash Dog PSA (to avoid conflicts attacks)	Wag the Waterfront Event
OCTOBER	**NOVEMBER**	**DECEMBER**
Halloween Parade Event? *Dog Costume Contest?*	*(a week after leaf pick up)* Poop Scoop PSA Even through winter need to scoop poop all year round	Spay/Neuter PSA

Leash Your Dog Outreach (7 Days Article)

Taskforce members Maria Karunuñgan and Abbey Duke were interviewed by journalist Rachel Mullis of Seven Days to weigh in on thoughts about off-leash dogs, resulting in the following publication in Seven Days:[45]



The take-home message in the article was to encourage residents to leash their dogs for a variety of reasons, including respect and consideration for others' cultural and religious preferences, prevention of unwanted conflict between unfamiliar dogs with unknown sociability, and generally taking more responsibility for their dogs' behavior around others.

Wag the Waterfront Event September 2023

- PRW hosted on September 9, 2023 1-4pm[46]
- Social media posts invited people to come[47]
- The event featured the following:
    - Afternoon Yappy Hour in the dog park
    - Free professional caricatures & free professional photos

[45] Mullis, R. (Aug 9, 2023). One Burlingtonian's Journey to On-Leash Dog Ownership. Published in print as "Going to the Dogs | One Burlingtonian's journey to on-leash dog ownership" and online at https://www.sevendaysvt.com/arts-culture/one-burlingtonians-journey-to-on-leash-dog-ownership-38844346
[46] *See* https://enjoyburlington.com/event/wag-the-waterfront/
[47] *See* for example https://www.instagram.com/p/Cw7iosEMae4/

- Booths rented by local dog-related businesses (daycares, groomers, dog trainers, dog treat bakeries, etc).
- Events such as dog training demos, Paws & Poses yoga, and weight-pulling

Public Service Announcements Developed by the Task Force

The following public service announcements were developed by the Task Force for several educational campaigns. Most of these were shared on social media.

Excessive Barking PSA

The Task Force wrote a public service announcement to address the complaint of excessive barking.[48] The main points of this campaign were to help raise awareness about why excessive barking is bad (pointing to upset neighbors, welfare issues, & violation of city code). Tips from a professional trainer were provided, including the recommendation to consult with a veterinarian and professional trainer if struggles continued.

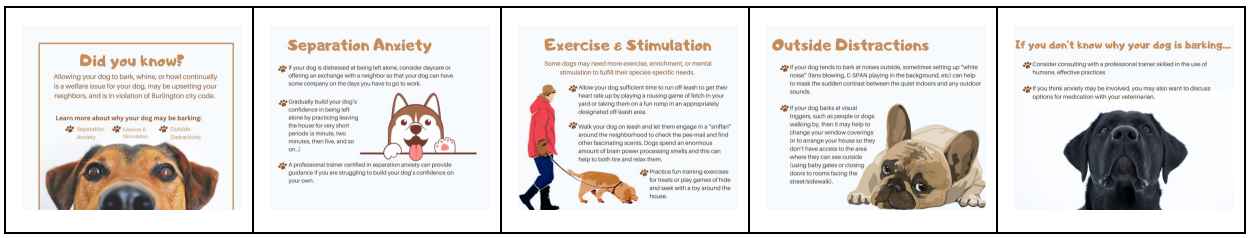


Fig. 4 Barking PSA Instagram slides

Leash Your Dog PSA

The Leash Your Dog PSA released in May 2022[49] contained the following text:

> :: A MESSAGE FROM THE DOG TASK FORCE ::
>
> Protect Nature - Leash Furry Companions in Vermont's Natural Areas
>
> Spring is nature's time to restore and grow, and also nature's most fragile time. Burlington's natural areas are still in recovery from forest clearing hundreds of years ago and use this

[48] See for example the Facebook post on February 16, 2023: https://www.facebook.com/BTVParks/posts/pfbid04CsSzqckLeKfr2BHiVhVsYssx3KDYdthXt4CysmTxeATD2FNqeig9SheDXinqKhpl

[49] PRW's Front Porch Forum post May 18, 2022: https://frontporchforum.com/areas/22/issues/4452#post_2786297

time to replace and regain strength. Spring flowers have delicate stems and depend on small ground insects, like ants, to help them expand their population.

Larger, similarly tender mammals like foxes are born now through August! For these animals, reproduction takes a lot of energy and kits, pups and their parents are weaker and especially vulnerable throughout this season.

Off-leash dogs (and their owners) unknowingly break tender wildflower stems and chase or even fatally maim baby animals, setting back the tiny steps that ecosystems take each spring towards restoration.

Please walk your dog on a leash on all trails and paths throughout City and Vermont parks. Obey on-leash postings to allow Vermont's forests to regain their species diversity and to save our wildlife. To learn more about spring wildflowers and to see the cutest red fox kit photo, please see our facebook page https://www.facebook.com/BTVParks.

Scoop the Poop PSA

The Scoop the Poop PSA ("April Stools Day") released in April 2022[50] contained the following text:

On behalf of the Burlington Dog Task Force Team, we'd like to remind everyone: Scoop Your Poop!

Pet waste should be picked up promptly because it...
-> is harmful for kids playing in the dirt
-> contaminates locally grown food
-> contaminates drinking water and swimming areas
.... is gross!!!!

With the weather warming and snow finally melted, we want to encourage all dog owners to pick up their dog's poop! (and any poop you see from other dogs, even if they are not your own).

Pet waste is harmful for children playing in your local neighborhood as parasites from fecal matter can remain in the soil for years. Picking up poop can also go a long way to protecting local gardens especially if you are growing food for yourselves, and protect anyone working or playing in the dirt. In addition, please keep in mind our drinking water is affected as well! According to the Lake Champlain Committee, pet waste contributes up to one-third of bacterial pollution in waterways near developed areas. (source: https://www.lakechamplaincommittee.org/learn/news/item/2200-stool-piles-and-counting/) Bacteria from pet waste adds e-coli that can result in the closing of recreational swimming areas.

Help us protect our children's play areas, neighborhood gardens, and local swimming spots by picking up your dog's poop!

[50] PRW's Front Porch Forum Post April 1, 2022: https://frontporchforum.com/areas/23/issues/5456#post_2747458

Recommended Additional Areas of Educational Outreach

The Task Force recommends the following additional areas of education:

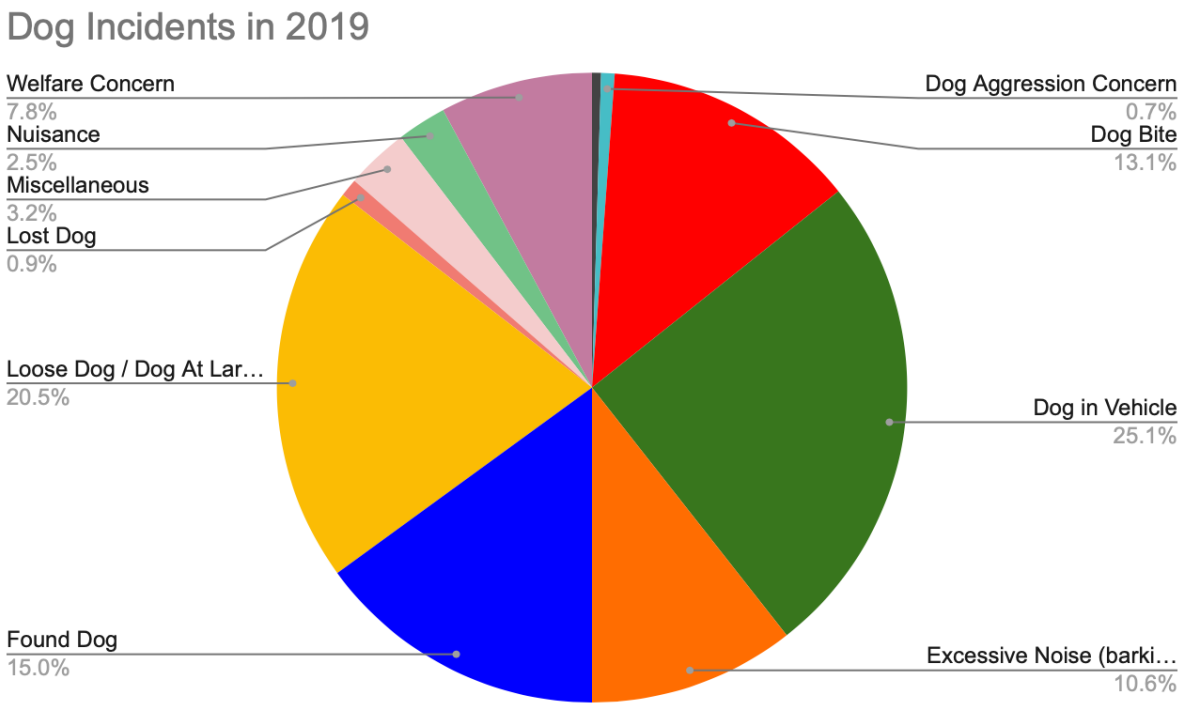
- Education on preventing dog attacks & conflicts with other dogs & people
- Resource for new arrivals (either new residents of Burlington who have dogs, or current residents who get a new dog)
- How/when to report incidents & what information is helpful
- Guidelines for behavior of dogs in designated off-leash areas
- Education/information that can be distributed on the cards that accompany dog license tags
- Curriculum for community justice center, should a restorative justice approach be adopted for resolving violations of dog policies & ordinances.
- Low-cost spay/neuter outreach

Appendix I: Data Summaries (Police Incident Reports, Off-Leash Survey)

The Task Force analyzed animal incident reports provided by the Burlington Police Department (BPD) and results of an off-leash survey conducted by the Department of Parks Recreation Waterfront (PRW).

2019 Dog and Cat Incident Reports Analysis

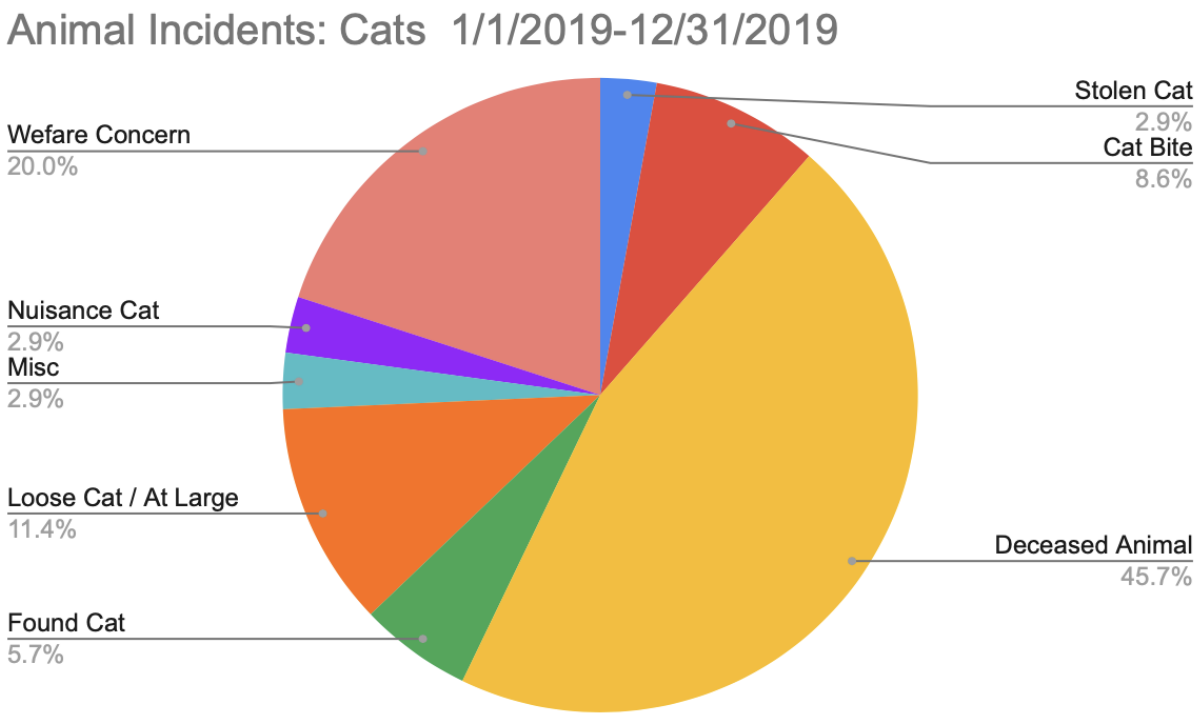
The Task Force analyzed data from 467 incidents involving companion animals (cats and dogs) that were reported in the calendar year 2019. The effort to summarize the data and analyze it was time-consuming, as the data were presented to the task force as individual PDF files with written details of each incident. To make sense of these written reports, a dataset was created by pulling the following variables from each report: date, time, incident number, origin of call, animal type, location of incident, incident details, and resolution. Incident details consisted of a summary of what was reported by the caller to dispatch. Resolution consisted of the responding officer's response and/or a more detailed description of the incident. The "Incident Type" variable in the data set was then broken down into dog-related or cat-related incidents, and assigned a category.



Dog-Related Incidents

Reported dog incidents were categorized as follows (in order by the number of incidents reported in 2019):

- *Dog in Vehicle:* Vehicle was gone on arrival (GOA), Dog did not appear to be in distress (guardian of vehicle not present or mentioned in the incident report), Dog did not appear to be in distress and the guardian returned to their vehicle and the officer was able to speak to the guardian about the dangers of leaving a dog in a car; or Dog was in distress. (109)
- *Loose Dog / Dog At Large:* (89)
- *Found Dog:* (65)
- *Dog Bite:* Dog bite to another dog, Dog bite to a person, Dog bite to both a dog/person, Dog bite to a cat, Dog bite to unknown person or animal. (57)
- *Excessive Noise:* Barking, whining, and/or howling (46)
- *Welfare Concern:* Issues related to an animal's well-being and safety including but not limited to possible animal neglect, animal abuse, and injured animals. (34)
- *Miscellaneous:* Examples are guardianship disputes, how to surrender an animal, requests for behavioral training assistance, and how to obtain care for an animal while the guardian is hospitalized. (14)
- *Nuisance:* (11)
- *Lost Dog:* (4)
- *Dog Aggression Concern:* (3)
- *Deceased Animal:* (2)



Cat-Related Incidents

- *Deceased Animal:* (15)
- *Welfare Concern:* (7) Issues related to an animal's well-being and safety including but not limited to possible animal neglect, animal abuse, and injured animals
- *Loose Cat / At Large:* (4)
- *Cat Bite:* (3)
- *Found Cat:* (2)
- *Miscellaneous:* Example: Request for behavioral training assistance. (1)

Cat Incident Reports. Almost half of police incident reports concerning domesticated cats involved the reporting of a deceased cat (45.7%). People reporting these incidents were concerned about cats and other cat related incidents included welfare concerns (20%), loose cats (11.4%), and found cats (5.7%). Cat bites made up 8.6% of all cat related incident reports. Because residents know that general issues with cats (cat welfare, lost cats, etc) are not handled by CSOs, the number of cat incidents is likely to be grossly underreported.

Spring 2023 Off-Leash Survey Analysis

Based on the work of the previous task force & work groups (see Appendix K), areas recommended for off-leash usage were reviewed by the committee based on current usage, and a proposal for areas to pilot was derived. This proposal was included in a survey to get feedback from the community. Based on feedback and information about current off-leash use by residents, the pilot areas were further revised. For example, Roosevelt and Schmanska were removed from consideration, based on quantitative survey opinions and written comments. Leddy Park Trails was also removed from consideration, in spite of quantitative results in favor of, due to important written considerations brought up by community members in the open comments portion.

Quantitative Survey Results

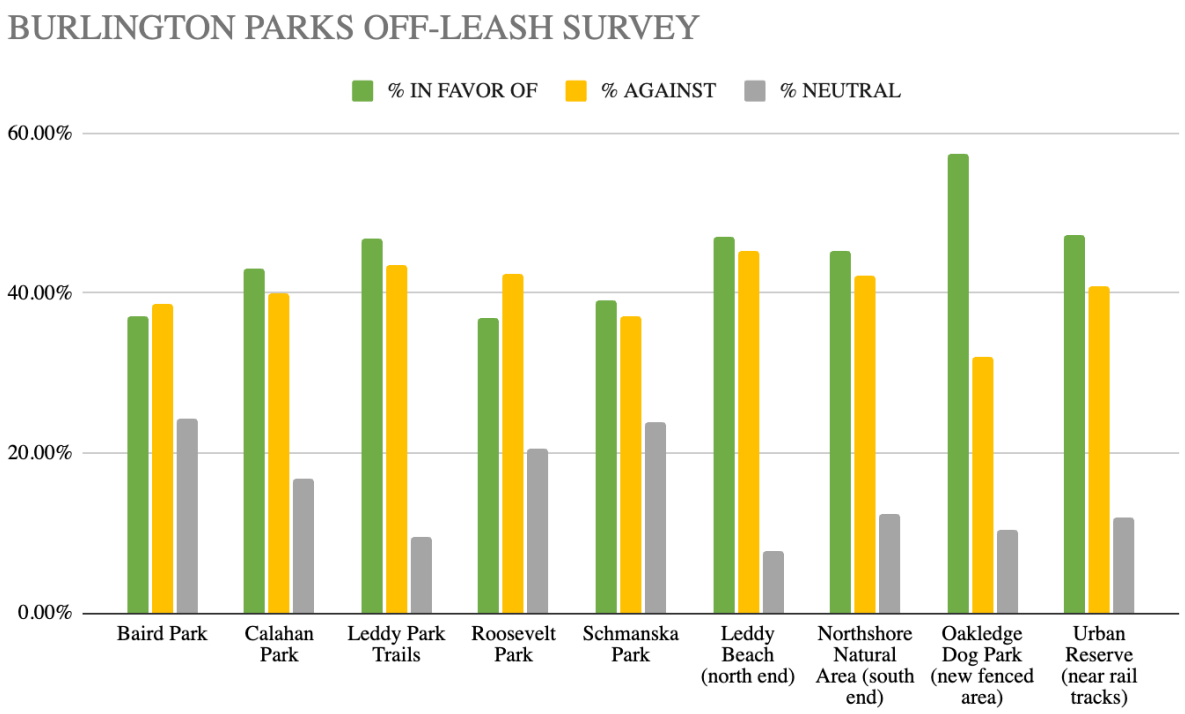


Fig. 5. Community members' opinions about proposed off-leash areas.

Table 4. Community members' opinions about proposed off-leash areas

LOCATION	IN FAVOR	AGAINST	NEUTRAL
Baird Park	353 (37.04%)	368 (38.61%)	232 (24.34%)
Calahan Park	422 (43.11%)	392 (40.04%)	165 (16.85%)
Leddy Park Trails	467 (46.93%)	433 (43.52%)	95 (9.55%)
Roosevelt Park	352 (36.9%)	405 (42.45%)	197 (20.65%)
Schmanska Park	369 (39.13%)	349 (37.01%)	225 (23.86%)
Leddy Beach (north end)	445 (46.99%)	429 (45.30%)	73 (7.71%)
Northshore Natural Area (south end)	414 (45.25%)	387 (42.30%)	114 (12.46%)
Oakledge Dog Park (new fenced area)	542 (57.48%)	303 (32.13%)	98 (10.39%)
Urban Reserve (near rail tracks)	433 (47.22%)	375 (40.89%)	109 (11.89%)

Qualitative Survey Results (Analysis/Coding of Written Comments)

In addition to the quantitative survey collected, the Task Force compiled 631 written comments from respondents providing additional opinions and suggestions regarding off-leash areas and dog parks (61% of respondents left one or more comments). Many comments focused on specific proposed locations, or suggested additional locations not included in the survey. Comments fell into the following categories or theme (in order by the number of comments received in the categories):

- *Appreciate off-leash areas as option:* Commenters felt there were not enough off-leash areas or appreciated the city was investigating additional off-leash spaces for dogs. (202)
- *Dog parks only:* Commenters felt off-leash areas should only be provided strictly in fenced-in dog parks designated for dogs, and that there should not be designated unfenced areas. (143)
- *Nuisance behavior / Environmental impact*. Commenters expressed concern over the negative impact of dogs in general - contributing to noise, annoying people, or trampling local plants/killing wildlife especially in conservation areas. (122)

- *Enforcement & Reporting:* Commenters asked for more accessible complaint forms, stronger consequences for existing ordinance infractions, or complained that they never saw enforcement happen, and this made them leery of offering off-leash areas. (121)
- *Park-specific.* Commenters made a comment about a specific park, such as requesting we consider Smalley Park for off-leash. (100)
- *Safety*. Commenters were concerned about aggressive dogs, or dogs jumping on/injuring people (small children were often mentioned). (67)
- *Time/season complexity:* Commenters felt the initial survey's multiple sets of disparate times per individual park would lead to a lot of confusion and possibly be difficult to enforce. (39)
- *Comments for other public land-owners*. Commenters suggested offering areas not governed by the city of Burlington as possibilities for off-leash. (38)
- *Education:* Commenters asked for increased education around rules, requested more signage and clarity so that community members knew which rules applied in which parks and where. (25)
- *Cultural impact*. Commenters expressed concern for individuals whose cultural or religious practices may be adversely affected by allowing off-leash dogs in unfenced spaces (this was especially common in reference to Roosevelt Park) (17)
- *Neighborhood park concerns.* Commenters made suggestions for specific parks. (17)
- *Tag / Permit Concept*. Commenters thought that some off-leash areas should be provided on a tag or permit basis. (16)
- *Accessibility*. Commenters were concerned about more off-leash spaces being accessible to people who don't have cars and need to walk their dogs to an available off-leash area. (10)
- *Comparison to other cities*. Commenters made positive or negative comparisons of Burlington to other cities (usually to complain that Burlington was not dog-friendly enough, but sometimes to complain that it was too dog-friendly). (8)
- *No off-leash*. Commenters felt dogs should not be allowed off-leash anywhere in Burlington. (6)
- *No additional comment*. 39% of respondents did not leave a comment

After reviewing the written comments and quantitative data, decisions were made to remove the following proposed off-leash areas from consideration by the Parks Commission as a pilot, for the reasons stated below:

- Leddy Trails (concerns about wildlife disruption)
- Roosevelt Park (concerns about aversive effect on neighborhood cultural practices)
- Baird Park (concerns about how close the proposed dog play area would be to the children's playground)

The survey also collected feedback from respondents on areas that had not been included, to see if there should be additional areas considered.

- Smalley Park came up frequently and as a result, Smalley was added to the list of pilot areas.
- Many commenters requested additional locations not under the purview of PRW to be made off-leash (for example, Red Rocks or Ethan Allan Homestead, both of which require dogs to be on-leash and are not part of PRW).

Appendix J: Task Force Progress Reports to City Council PACC Committee

The Task Force submitted progress reports to the City Council PACC Committee on the following dates.

2022-03-01

2023-02-23

2023-08-23

Appendix K: History of Prior Task Force Work

In 1998, the City chose to pilot five locations for off-leash areas. They included Starr Farm Park, Urban Reserve, Intervale, Schmanska and Oakledge Park. Two areas, Starr Farm and Urban Reserve, exist today as off-leash fenced parks. The language for the program still exists in the City Ordinances under Appendix D, section 7, Rules and Regulations of the Burlington Parks and Recreation Park. The section became no longer enforceable in approximately 2002 as the pilot ran out without any information that indicates that the City Council took action.

In 2011, the City Council created a work group to revise and formalize the pilot program started in 1998. After two years, the workgroup recommended that the South, Center and North end of the City all have options for dogs off-leash. They also specified four parks off-leash areas would not be permitted including Burlington Greenway, Battery Park, City Hall Park and Champlain Street Park. They suggested that Starr Farm and Urban Reserve fenced dog parks be listed in the ordinance and that the non-fenced areas be listed in a new off-leash dog policy rather than an ordinance. The off-leash dog policy would be approved by the Parks Commission and not through City Council.

The suggested off-leash areas from the 2011-2013 report included Leddy Park, Oakledge Park, Calahan Park, Schmanska Park, Waterfront Park (in addition to the fenced area), and Roosevelt Park. It was a mix of year-round and seasonal and any time of day to specified times of day. The Parks, Recreation & Waterfront (BPRW) department started a Parks

Comprehensive Plan process around the time of the final report. With that process starting, the decision was made to pause the off-leash work to see what came out of the comprehensive plan. It did not get picked back up again following the release of the 2015 Comprehensive Plan.

In 2019, the current BPRW Director started to move forward with the work from 2011-2013 meeting with PACC and the Parks Commission. The suggestion was made by the Parks Commission to survey the community as quite a bit of time had passed from the 2011-2013 work. Before sending out the survey, the pandemic hit and once again, the project stalled.

BURLINGTON
PARKS
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WATERFRONT

MEMO

To: Burlington Parks Commission

From: Cindi Wight, Director, Parks, Recreation & Waterfront, Nate Lantieri, Parks Commission Chair and Kirstin Boehm, Parks Commission Vice-Chair

Date: June 10, 2025

Subject: Fenced Off-Leash Areas

Background:
In 1999, the City started plans for the first off-leash fenced dog parks in Burlington at Starr Farm Park and Waterfront Park. The areas were completed in 2001/2002. Starr Farm received new fencing a couple of years ago and the Waterfront Dog Park was relocated in approximately 2016 to the Urban Reserve as part of the development of the A_Dog Skate Park and northern waterfront improvements.

During that time, between 1999 and 2002, the City added a section in Appendix D that allowed for fenced dog parks, including Starr Farm and Waterfront Park, as well as areas set aside for non-fenced off-leash spaces. This was a pilot and was never finalized.

Around 2015/2016, the City completed a site plan for Oakledge Park as part of improvements to the park. In the site plan, there is an intention for a future fenced dog park and the recent survey by the Dog Task Force showed strong interest in a fenced dog park at Oakledge. If it was determined that a fenced dog park was a good addition for Oakledge it would go on the city's capital list as a future project when funding and time allows for completion.

Appendix D vs Policy
The Dog Task Force recommended a basic framework for Appendix D with more detailed information in the Off-Leash Dog Policy (OLDP). To change anything in Appendix D requires the authority of both the Commission and the Council, whereas changes to the OLDP would only require Commission authority, making it nimbler. For example, Appendix D lists the parks for fenced dog parks, but the times they are open or closed would be in the policy.

Goals for the June Commission meeting

- Review and vote on the recommendations of the Dog Task Force for Appendix D
    - Question – Does that mean there will be non-fenced off-leash areas?

- Answer – No. As proposed below, it would only formalize areas where there are fenced dog parks

- Review a draft timeline for the Commission resolving all recommendations related to the Parks Commission from the Dog Task Force. (No vote needed; this is just a project management tool for the Commission.)

  Draft Timeline for Parks and Recreation Commission to provide a proposal to City Council for:

  1. Appendix D, Section 7
  2. Off-Leash Dog Policy

  Both documents consider, as their starting point, Appendix F of the City of Burlington Dog Task Force (2023)

Meeting	Task/Vote
June	1. Get answer to question about any liability from City Attorney 2. Vote on proposed Appendix D Section 7 3. Discussion on timeline for overall recommendation to City Council
August	1. Review and Discuss Off Leash Dog Policy (on screen, line by line.)
September	1. Review and Discuss Off Leash Dog Policy (on screen, line by line.)
October	1. Review and Discuss Off Leash Dog Policy in context of budget, resources, and staff capacity (from BPRW Director or staff)
November	1. Review and revise next steps.

Proposed Update of Section 7 to City Ordinance Appendix D by the Dog Task Force
(with recommended staff updates in B, C and F using strike and underline)

Appendix D

Sec. 7. - Off-leash dog opportunities

A. *Off-Leash Dog Policy.* The Parks, Recreation and Waterfront Department (PRW) shall maintain an Off-Leash Dog Policy (OLDP) as approved by the Parks Commission. The policy may be modified by PRW with the approval of the Parks Commission. The OLDP shall govern the establishment of off-leash dog opportunities, except that permanent fenced dog parks shall be established by ordinance. The OLDP shall govern operations of off-leash dog opportunities

and share enforcement authority with the animal control officer(s) as enumerated in this section.

B. *Designation of Areas.* Areas shall be designated for the purpose of allowing dogs to be under control of the ~~guardian~~ owner or ~~guardian's~~ owner's agent by means other than physical restraint. Opportunities shall include: fenced dog parks, water access, and field use on an hourly, seasonal, or year-round basis within reasonable walking distance of neighborhoods. Opportunities, where possible, shall be dispersed across the city. .

1. Permanent off-leash fenced dog parks shall be located at:
    - Oakledge Park
    - Starr Farm Dog Park
    - Urban Reserve
2. Off-leash non-fenced areas are listed in the OLDP~~, dogs are prohibited at the following parks. Dogs in these parks must be leashed at all times:~~
    - ~~Appletree Park~~
    - ~~Arms Park~~
    - ~~Baird Park~~
    - ~~Battery Park~~
    - ~~Bike path~~
    - ~~Champlain Street Park~~
    - ~~City Hall Park~~
    - ~~Dewey Park~~
    - ~~Ethan Allen Park~~
    - ~~Kieslich Park except for the portion known as "Texaco Beach"~~
    - ~~Lakeside Park~~
    - ~~Little Park~~
    - ~~MacKenzie Park~~
    - ~~North Beach~~
    - ~~Pomeroy Park~~
    - ~~Potvin Park~~
    - ~~Roosevelt Park~~
    - ~~Schifilliti Park~~
    - ~~Starr Farm Park except for the portion known as "Starr Farm Dog Park"~~
    - ~~Water Works Park~~
    - ~~Waterfront Park~~

C. Public Information.

1. PRW shall provide information about off-leash dog opportunities to include maps, hours, and references to rules & policies with onsite signage and through its website.
2. PRW shall annually conduct a targeted campaign to educate the community about the City ordinances that pertain to off-leash dogs in general, and the off-leash dog opportunities and associated rules and policies..
3. ~~Funds to implement Section C shall be made available to PRW from the fees collected pursuant to Article II Section 5-17.~~

D. General Rules for All Areas Designated as Off-Leash Dog Areas.

1. A person taking a dog into an off-leash area shall have the dog held on leash when entering and exiting the off-leash area.
2. A person taking a dog into an off-leash area shall maintain voice, hand, or leash control over the dog at all times while the dog is in the off-leash area. Such person shall have in their possession a leash at all times.
3. A person taking a dog into an off-leash area is responsible for all actions of the dog, shall keep the dog within their vision at all times, and shall remove the dog when their behavior is in violation of the City of Burlington Code of Ordinances, including but not limited to Appendix D Secion 7, or the PRW OLDP.
4. The following are prohibited in off-leash dog areas:
    - Glass containers.
    - Female dogs in heat.
    - Excessive barking, howling, or other noise.
    - Bullying of other dogs.
    - Failure to remove feces; All feces shall be removed from the off-leash area and placed in the appropriate receptacle.
    - Unlicensed dogs; All dogs shall be licensed and display valid license tags.
    - Dangerous dogs as defined by Burlington Code of Ordinances, Article II, Section 5-13.
    - More than 3 dogs per person.
    - Children under 12 years of age unaccompanied by an adult.

E. Enforcement.

1. In addition to the penalties provided for by ordinance, a person or dog that violates the rules of this section is subject to ejection from the off-leash area as defined in the OLDP.
2. In addition to the penalties provided for by ordinance, a duly authorized enforcement officer may impound a dog for a violation of the rules of this section or for activities determined to be a nuisance.
3. In addition to the penalties provided for by ordinance, all violations of Appendix D and the OLDP include a restorative justice process with the Burlington Community Justice Center.

F. Administration.

1. Commercial Use of Parks. The PRW may issue a permit and charge a fee to allow for commercial use of off-leash dog areas by professional trainers, and for-profit and not-for-profit animal organizations. Portions of the off-leash dog areas shall remain available for unencumbered use by the public as off-leash areas during these events. ~~Fees collected by PRW for commercial use shall be used for the establishment, operations, or improvements of designated off-leash dog areas.~~ Commercial use of off-leash dog areas without a permit shall result in a fine as set for in Chapter 22 section 23 of the Burlington Code of Ordinances. Commercial use of off-leash dog areas may be further defined or modified by the OLDP.

To begin reviewing at the August 2025 meeting

Proposed Off-Leash Dog Policy (OLDP)

The following text has been drafted by the Dog Task Force as a proposed Off-Leash Dog Policy to be reviewed by the Parks Commission, and once an official OLDP is established, to be revised by the Parks Commission as needed.

OFF-LEASH DOG POLICY

Purpose:

This policy incorporates by reference all rules set forth in Appendix D of the Burlington Code of Ordinances.

Areas of Policy:

1. *Designation of Areas and Times of Operations*
2. *Additional Rules for Use of Off-Leash Fenced Dog Areas*
3. *Rules for Commercial Use of Off-Leash Dog Areas*
4. *Signage*
5. *Public Outreach & Enforcement*
6. *Operations*

1. *Designation of Areas and Times of Operations.*
   The following areas are off-leash areas, as designated herein or on site:
   1. *Fenced Dog Parks*
      I. *Starr Farm Park (year-round).*
      Times. The designated area may be used year-round from 8:00 a.m. to 8:00 p.m. or sunset, whichever is earlier.
      ii. *Urban Reserve (year-round).*
      Times. The designated area is open for off-leash use at any time.
      iii. *Oakledge* Park (year-round)
      Times. The designated area is open for off-leash use during the hours the parking lot is open for vehicle parking.

   2. *Off-Leash areas (not fenced)*

      i. *North End of Leddy Beach (year-round).* The area north of the northernmost entrance to Leddy Beach
      Times. The designated area is open for off-leash use at any time.

ii. *Oakledge Cove (year-round).* The area of Oakledge Park known as Oakledge Cove
Times. The designated area is open for off-leash use at any time

iii. *Northshore Natural Area (year-round)*.
Times. The designated is open for off-leash use at any time

iv. *Blanchard Beach (seasonal)*. The area of Oakledge Park known as Blanchard Beach
Times. The designated area is open for off-leash use at any time between November - March

v. *Texaco Beach (year-round)*. The beach area of Kieslich Park known as "Texaco" Beach.
Times. The designated area is open for off-leash use at any time

vi. *Lower Calahan Park (year-round).* The area of Calahan Park that is bounded on the east by the sledding hill, north by Locust Street, west by Pine Street, and south by the park/neighborhood boundary excluding programmed areas such as baseball fields, roads/walks, etc.
Times. The designated area is open for off-leash use from 6:00 a.m. to 8:00 a.m.

vii. *Open Area of Schmanska Park (year-round).* The multipurpose field of Schmanska Park extending from the basketball court to the tennis court.
Times. The designated area is open for off-leash use from 6:00 a.m. to 8:00 a.m.

viii. *Open Area of Smalley Park (year-round)*. The multipurpose field excluding the programmed softball field.
Times. The designated area is open for off-leash use from 6:00 a.m. to 8:00 a.m.

ix. *Gravel Path of the Urban Reserve* The area of the Urban Reserve that is the maintenance access running parallel to the train tracks between the designated off-leash area signs on the northern and southern ends.
Times. The designated area is open for off-leash use at any time.

2. *Community Expectations for Use of Off-Leash Fenced Areas*

a. In addition to the rules set forth in Appendix D, please observe the following guidelines:
    i. Do not allow dogs to dig holes, except in an area designated for digging by the Parks, Recreation and Waterfront Department (PRW). The person accompanying the dog shall fill in any hole created by the dog prior to exiting the area.
    ii. Do not consume human food.
    iii. Do not feed other people's dogs.
b. All gates to the dog park must be closed after entering and exiting.
c. The priority use for off-leash dog parks is off-leash dogs. Please ensure that children do not interfere with the activities of dogs in the park.

3. *Community Expectations for Use of Unfenced Off-Leash Areas*

In addition to the rules specified in Appendix D, please observe the following guidelines:

a. Ensure your dog is placed back on leash after leaving an off-leash dog area.
b. Dog guardians should be respectful of other users using the space. This is a shared space, even during the times where dogs are allowed off-leash. The priority use for these areas is not necessarily dogs.
c. Non-dog guardians should expect dogs may be running free in designated off-leash areas.

4. *Rules for Commercial Use of Off-Leash Fenced areas*

a. Commercial users are required to be a Park Program participant.
b. Commercial users are responsible for creating any boundaries, with temporary fencing or by other temporary means, required to meet their needs and that of the other users.
c. Commercial users are limited to twelve days per year exclusive of commercial uses that do not restrict other uses of the area.
d. No more than one commercial user may use the same dog park concurrently.
e. Off-leash dogs will be permitted to access any areas of the off-leash area that are not separated by temporary or permanent fencing.
f. With the exception of extraordinary circumstances, no more than 33% of an off-leash dog area shall be permitted to be restricted for commercial use.
g. Commercial use shall not interfere with standard entrances and exits from the off-leash dog area.
    i. If any PRW staff time is required for the event, commercial users of the park are responsible for all costs related to the staff time. PRW staff will only be made available with the approval of the PRW Director
    ii. Commercial users will be responsible for all costs related to set-up, operations, security, and cleanup for all events.
    iii. Standard PRW Department requirements for reserving parks apply.

5. *Public Outreach & Enforcement.*

. The PRW and the Police Department shall collaborate to educate and enforce the rules and policies applicable to off-leash dog areas,A person who violates any rules or policies applicable to off-leash dog areas on two (2) occasions within a twelve-month period shall be barred from taking any dog into the off-leash areas during the six (6) months subsequent to the second violation.

6. Operations

a. The PRW shall maintain a volunteer group that provides guidance and support for off-leash areas
b. The PRW Director may, upon a finding of need at a particular off-leash area, close the area to off-leash use. The reopening of such area is at the discretion of the Director. The Director shall post a notice indicating that the area has been

closed for off-leash use at the entrance to the area and at other locations in the area if needed to give notice to the public of the closing.