

ANIMAL AND DOG PARK ADVISORY COMMITTEE MEETING

Friday, February 5, 2021

8:00 am – 9:00 am

Meeting held via Zoom:

<https://us02web.zoom.us/j/84355790611?pwd=Ukd6MjVEdHI1ZWtXOG91NFIranRsZz09>

Meeting ID: 843 5579 0611

Passcode: 955378

DRAFT Minutes

Attendees	
Committee Members	
Tom Lopez, Board of Aldermen	✓*
Patricia Klee, Board of Aldermen Alternate	✓
Kathy Abel, Community Member	✓
June Lemen, Community Member (Vice-Chair)	✓
Amber Logue, Community Member (Chair)	✓
Megan Villacis, Community Member	
Bob Langis, Animal Control Officer	
Becky Longval, Nashua Humane Society	✓
Staff	
Deb Chisholm, Waterways Manager	✓
Julie Chizmas, Transportation & Long-Range Planner	✓
Mike Harris, Parks & Recreation Ops Manager	
Sarah Marchant, Community Development Director	
Cecilia Ulibarri, Mayor's Office	✓

**Joined after roll call and minutes approval*

Prior to beginning the meeting, a "Checklist to Ensure Meetings are Compliant with the Right-to-Know Law During the State of Emergency" was read aloud so all committee members and any members of the public participating virtually via Zoom or by phone were aware of the steps that had been taken for the virtual meeting, including:

- a) Providing public access to the meeting by telephone.
- b) Providing public notice of the necessary information for accessing the meeting.
- c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access.
- d) Adjourning the meeting if the public is unable to access the meeting.

1. Approval of the [January 8, 2021 Meeting Minutes](#)

- Motion: June Lemen
- Second: Alderwoman Klee
- Yea: Alderwoman Klee, Kathy Abel, June Lemen, Amber Logue, Becky Longval
- Nay: None
- Abstained: None

2. Proposed Revisions to [§93-14](#)

Bob Langis will be out for at least the next few months but is communicating via email. He sent a message regarding the proposed revisions to §93-14 saying he isn't a big proponent of the "within 12 months" language as he couldn't recall another city ordinance with a time cap. He added he would go with the majority of the board on the final outcome.

The minutes and presented information from previous meetings on this topic were reviewed. To summarize:

The [State RSA](#) has two tiers for "a dog considered to be a nuisance": **\$25 for the first nuisance offense** under [RSA 466:31](#), II(a), (b), (c) or (d); **\$100 for the second or subsequent nuisance offense committed within 12 months of the first nuisance offense** under RSA 466:31, II(a), (b), (c) or (d).

Under the RSA, a dog is considered a nuisance if:

- (a) If a dog is "at large," which means it is off the premises of the owner or keeper and not under the control of any person by means of personal presence and attention as will reasonably control the conduct of such dog, unless accompanied by the owner or custodian.
- (b) If it barks for sustained periods of more than 1/2 hour, or during the night hours so as to disturb the peace and quiet of a neighborhood or area;
- (c) If it digs, scratches, or **excretes**, or causes waste or garbage to be scattered on property other than its owner's;
- (d) If any female dog in season (heat) is permitted to run at large or be off the premises of the owner or keeper during this period except when being exercised on a leash by a responsible adult. At all other times such dog shall be confined within a building or enclosure in such manner that she will not come in contact (except for intentional breeding purposes) with a male dog. A female dog in heat shall not be used for hunting;

[Hudson](#) and [Merrimack](#) have a three-tiered penalty structure for both dogs at large and dog fouling with no time frame language:

- 1st Offense: \$25
- 2nd Offense: \$50
- 3rd (or Subsequent) Offense(s): Court Action

[Manchester](#) also has three tiers and no time frame language, but different penalties for dog fouling vs dog at large:

Dog at Large: (§ 90.12)

- 1st Offense: \$25
- 2nd Offense: \$50
- 3rd (or Subsequent) Offense(s): Court Action

Dog Fouling: (§ 90.04)

- 1st Offense: \$100
- 2nd Offense: \$200
- 3rd (or Subsequent) Offense(s): Court Action

- Note: Exception. This section shall not apply to any dog accompanying a person mentally or physically impaired and who because of such impairment is unable to comply with the requirements of this section.

Finally, [Portsmouth](#) has this penalty structure, which includes the within 12-month language:

- 1st Offense in any twelve-month period: \$50
- 2nd Offense in any twelve-month period: \$100
- 3rd (or Subsequent) Offense(s) in any twelve-month period: \$200

Becky, Alderwoman Klee and Alderman Lopez all spoke up saying it would be good to be consistent with the state regulations and include the "within 12 months" language. It was noted also that the state includes dog waste as a nuisance.

We don't want to set fines too high and unfairly penalize anyone. There needs to be a leveled approach with education as a big part of it. Bob has said at previous meetings that he warns people first and the police also do, too. One thing that isn't helping with the problems at the Shattuck Street Tot Lot is that Bob isn't available.

There should be a PR campaign about dogs-at-large in coordination with a change to the fee structure. It would provide an opportunity to educate people.

Amber suggested we obtain letters of support from the Humane Society, Bob and this committee and others when we present before the Alderman. We need a lot of dog owners to speak in support.

Becky proposed including all animals to make the fines more fair. Amber agreed we shouldn't favor one pet over another. An animal is an animal.

Becky also suggested that new officers be trained in dealing with animals as many don't have animal skills or know animal law as it's not what they are there for. Amber asked if there could be a quick educational briefing during shift change. Or we could draft a brief flyer that shows changes in the law and why animal enforcement is important. Alderwoman Klee said it would be good to have the Humane Society provides a primer when training new ACOs and officers. Becky acknowledged they have a lot on their plate but they are all for educating the PD. They are first responders so it's important to provide info on topics like how you need to look for animals when dealing with domestic situations.

Animal related signage also needs to be educational. Education needs to be the first tier – allow ACOs, at their discretion, for the first offense. With that as the first tier, the proposed fine structure would look like:

- 1st offense within a 12 month period: Education
- 2nd offense within a 12 month period: \$25
- 3rd offense within a 12 month period: \$50
- 4th or subsequent offense(s) within a 12 month period: Court Action

Next Steps:

- Becky will work with Bob via email to draft language

- The draft language will be forwarded to Dory in Legal for review
- Alderwoman Klee will sponsor the proposed revision and Alderman Lopez will co-sponsor

3. Dog Waste Clean-up Campaign

Julie shared formal correspondence from Carter Falk, Deputy Planning Manager/Zoning, regarding stations and plaques:

If these were to be placed somewhere along Main Street, within the public right-of-way, the Planning Department would not have jurisdiction, as they would be in the city right-of-way, and the Department of Public Works would take jurisdiction.

For signage/advertising on private property, staff is under the assumption that any sign affixed to a station would be very small, under one square foot in size, or less. If proposed signage is smaller than the waste receptacle or the plastic bag dispenser in width, staff would not require a sign permit for them, similar to price signs on top of gas station pumps, certain drive-through signs, and other very small ancillary signs that one may see in a parking lot.

Amber plans on organizing a pop-up event at dog waste problem site to educate people. Awareness that dog waste stations are available and encouraging use will be essential. She also shared that Dover recently launched a citywide dog waste pick-up initiative. People who participate get a certificate saying "I'm a responsible pet owner" or "I took the course", etc. She will look for a link to send.

June mentioned the "sign guys" on Library Hill with their funny but pointed messages. Maybe we could do something like that. Alderwoman Klee commented that some of the worst places are those that have dumpsters available – Charlotte Ave and around Pennichuck.

Amber noted that the survey response was slowing down and thought that when the snow starts melting would be good time to repost as that's often when people are aware of how bad the problem is. She said we can reach out to people who said they would help on clean-up campaigns for the pop-up events. The can help work the table and with awareness. A quick review of the responses show the issues are all over the city. Julie shared the following quick summaries of responses to date, noting only locations that were repeatedly mentioned are summarized. Other locations were also mentioned.

Where do you walk?	Count
Mine Falls	12
North End	11
Greeley	6
Main St	6
Rail Trail	3
Yudicky/Southwest	3
Ashland St Area	3
Arlington St/Dr. Crisp	2

What would you like to see for amenities?	Count
Dog Waste Station	32
Dog Park (FREE specified, closer to home – not S. Nashua)	25
Lighting	13
Community clean up day	11
Trash cans – year-round	3
Signage & enforcement	2
People who aren't assholes?	1
The Rail Trail needs constant maintenance! In winter, plowing and in other seasons, mowing! With all the individual flower beds now present in the Community Gardens they also need to be maintained! In this location, there are Dog Waste Stations! However, the two parks previously mentioned do not have Dog Waste Stations! Park Social definitely needs lighting and maintenance!	1
Dog owners to actually pick up their dog's poop so it's not all over the playground and sidewalk	1
More dog friendly destinations/restaurants	1

I'd like:	Count
An update on my suggestions	15
I'd like to help with community clean up	12
I'd like to donate in the future or help with fundraising	8
I'd like to volunteer other ways	7
I'd like to organize the clean up day	2

Alderwoman Klee suggested we invite school department to an educational clean-up day – we can show that schools are too important to have poop around. June added that Pennichuck School is particularly bad. Becky noted that it's the person, not the dog so make sure education is aimed at person, not dog. The dog doesn't have a choice. She also said educating the kids is important.

Becky informed the group that the Humane Society pay \$70 for 2000 and buy them 4 times a year. There are 1000 dogs go through the shelter a year so figure 8000 bags per 1000 dogs. Alderwoman Klee said we should check with Parks and Rec. They have a station by Mine Falls and the skate park and should be able to tell us how many bags they go through. She has spoken with Lauren Byers at DPW so they are aware of this campaign.

A discussion of feasible locations for waste stations suggested we start with Main Street then work with that momentum to get more stations installed. Focusing on locations where there are bins would be helpful. In front of the library and library plaza were mentioned. Julie said the stations have bins but the problem is where you take the bag isn't often where you need to dispose of it. So knowing where bins are would be helpful, too. We also need to make sure the station bins get emptied. Julie will map the locations that have been identified in the survey.

Deb said she received an email from City Clerk's office saying they had to remove our messaging about picking up after dogs in the relicensing notices because they needed space to add COVID

language. Alderwoman Klee asked if we could just add a single line and Deb said that's all it was and they still ran out of space but added it will just be for this year. It was asked if we could add a sentence or two to the website under the dog licensing section.

With respect to the station locations, Deb suggested we start small with our approach and look at downtown first. We want to learn from that experience before Mine Falls Park. We really need to team up with the Mine Falls Park Advisory Committee and Julie asked if they should be invited to one of our upcoming meetings. Alderwoman Klee said yes as dogs off leash and waste are their two biggest complaints. Amber thought they could also write a letter of support for the fines. Nick had an in with that Committee but since he retired, we will reach out to new Parks and Rec supervisor, Jason Puopolo. One member of the committee is an avid dog walker and Deb can reach out to them. Alderwoman Klee asked if there was an aldermanic liaison to that committee – no.

Alderwoman Klee said she thought Amber's video encouraging people to take the survey was brilliant and asked if we could do a video from dog's perspective?

4. Potential Dog Park Sites

A pre-proposal meeting was held January 21st. Five attendees representing 4 firms attended (BETA Group, Ironwood Design Group, Hoyle, Tanner & Associates, and Nashua Regional Planning Commission) attended. Proposals are due February 12th and hopefully, interviews can be scheduled within the following two weeks.

5. Animal Shelter and ACO Updates

As noted earlier, Bob is out for foreseeable future. Becky reports the Shelter is busy with strays but otherwise all good. She has case of an older resident one their 7th stray call. They have a small dog that repeatedly uses a snow pile to jump the fence. Becky is working to assist the resident and remove the snow.

6. Other

Alderwoman Klee asked for ideas to deal with the problems at the Shattuck Street Tot Lot. It continues to be used as an off leash dog park with people not picking up after their pets. There is waste all around the playground equipment and bags of it are being hung on the fence (no trash can in the winter). People are getting grumpy.

Motion made to adjourn (Alderwoman Klee) and seconded (Amber Logue). Meeting adjourned at 9:04am.

Next Scheduled Meeting: Friday, March 5th at 8:00 AM – 9:00 AM via Zoom

Minutes by: Julie Chizmas