



**Town of Whitingham  
Office of the Selectboard**

**MINUTES OF DECEMBER 2, 2020  
POTENTIALLY VICIOUS DOG HEARING**

*These Minutes shall be accepted into the public record (with any corrections noted) at a future meeting of the Whitingham Selectboard.*

The Whitingham Selectboard held a potentially vicious dog hearing on Wednesday, December 2, 2020 at 6:00pm in the Whitingham Municipal Center, 2948 VT Route 100, Jacksonville, VT.

Selectboard members present: Chair, Wayne Wood; Vice Chair, Scott Reed; and Members, Craig Hammer and Chris Walling. Member Phil Edelstein attended remotely.

Others present: Gig Zboray, Selectboard Office Administrator. Attending remotely: Dan Hollister, Animal Control Officer.

**Call to Order. Additions or Changes to Agenda.**

Wayne Wood called the meeting to order at 6:00pm. There were no changes or additions to the agenda.

**Vicious Dog Hearing**

Pursuant to Title 20, Section 3546 of Vermont law the Selectboard held a potentially vicious dog hearing. Chair, Wayne Wood opened the hearing at 6:00pm by reading the warning/notice of hearing.

Dan Hollister noted that on November 19<sup>th</sup> he received a complaint from Karen Hein that she was accosted by two very vicious dogs in the area of 434 Corse Road. Ms. Hein received a puncture on her leg from a bite. Mr. Hollister spoke with Mr. Baltzer at a later date who said he was not aware of the incident and was not at home at the time. Ms. Hein indicated in her complaint that Mr. Baltzer came out to retrieve the dogs and asked Ms. Hein where she lives. Mr. Hollister was told that the dogs rabies vaccinations are up to date, but he has received no proof of such.

Mr. Hollister recommends issuing a warning to Mr. Baltzer. Mr. Reed indicated the dogs must be licensed and if they don't have rabies certificates they must get inoculated as soon as possible. Another recommendation made was that Mr. Baltzer issue an apology letter to Ms. Hein.

The Selectboard found that the dogs were not licensed at the time of the incident which is a violation of the Whitingham Animal Control Ordinance (Section 4-1) which is defined as "each

dog shall be licensed according to the laws of this State and shall wear a collar or harness with its current license issued by the Town Clerk attached”.

The Selectboard found that Mr. Baltzer’s dogs were “running at large” which is a violation of the Whitingham Animal Control Ordinance (Section 4-2) which is defined as “not on the premises of the owner or the property of another with that person’s permission and not restrained or under the direct verbal or non-verbal control of the owner; not hunting with the owner; or in a vehicle”.

**A motion was made by Scott Reed to order Dan Hollister, Animal Control Officer, to issue a warning to Travis Baltzer for first offense of Licensing and Running at Large for each dog. Mr. Baltzer must license the dogs within 7 working days of the notice to be mailed to him. The Selectboard also directs that a letter of apology be written by Mr. Baltzer to Ms. Hein within 7 working days and ordered that the dogs must be under control at all times. Seconded by Chris Walling, all in favor.**

Failure to comply fully with the conditions set forth above shall be subject to the penalties provided for in Title 20 Section 3550 and could result in an order to destroy the animal.

**Adjourn**

The hearing concluded and the meeting was adjourned at 6:12pm.

Respectfully submitted,

~Gig Zboray