

Brookline Advisory Committee
Public Safety Subcommittee
Meeting held on 21 March 2019
Town Hall Room 308

On 21 March 2019, the Public Safety Subcommittee of the Advisory Committee held a public hearing on 2019 Annual Town Meeting Warrant Article 18- To see if the Town will amend the General By-Laws, Article 8.6, Dog Control, Section 8.6.7 thereof (Restraint of Dogs) and Article 10.2, Prosecutions and Enforcement.

Attending were Parks and Open Space Director Erin Gallentine; Park & Recreation Commission members John Bain (chair), Nancy O'Connor (vice chair), and Dan Lyons; Michael Hackel (Green Dog Subcommittee), and subcommittee members Janice Kahn (chair), Susan Granoff, Alisa Jonas, and David-Marc Goldstein.

Warrant Article 18 is an amendment to the Dog Control By-Law. It amends Town By-Law 8.6.7 to clarify that dogs participating in the Green Dog Program must be registered, and authorizes DPW to enforce the By-Law under section 10.2. It also gives park rangers the ability to issue citations. Right now only police officers are authorized to issue citations.

BACKGROUND:

It's the 10th year of the "pay-to-play" Green Dog Program, an innovative program for shared park spaces. Brookline was the first municipality in the Commonwealth to have a "green dog program". In 2006 Town Meeting voted to authorize the Parks and Recreation Commission to establish an "off leash" program in specific parks under certain conditions.

In Massachusetts every dog needs to be licensed. In Brookline, dog owners can either pay for a regular dog license or, for an additional fee of \$15, receive a "green dog" license, with all licenses being renewed yearly on January 1st. There are 2300+ licenses issued each year - 1400 hundred Green Dog licenses and 950 regular licenses. Each dog that participates in the program is given a colored tag for its collar that is different from the colored tag for a regular license. The tag also has a number on it so dogs can be identified. Requiring all dogs to have these tags helps to identify non-compliance.

There are currently 14 Green Dog parks in Town. In recent years, compliance with the leash law (not just in the designated off leash parks but town-wide) has sharply declined. This non-

compliance includes unleashed dogs on the street, in parks not designated an off-leash park, off-hours violations, and both residents and non-residents making use of the Green Dog Program without registering them in the program. The number of complaints has steadily increased.

In 2018, the Parks and Recreation Commission established a Green Dog Subcommittee, comprised of Commission members and the public. They evaluated the entire program and, based on their evaluation, propose in Article 18 two small amendments to the existing By-Law to increase compliance.

The first amendment modifies the General By-Laws, Article 8.6, Dog Control (Restraint of Dogs) by adding section 8.6.7:

7. The dog must be registered with and accompanied by proof of current registration in the Town's off leash program in order to participate, which participation shall be subject to compliance with publicly available rules established by the Director of Parks and Open Space.

The second amendment modifies Article 10.2 Prosecutions and Enforcement by authorizing enforcement and prosecution of Article 8.6, section 7 by the Commissioner of Public Works and the Commissioner's designees.

DISCUSSION:

The problem addressed by Article 18 is centered around the lack of enforcement of the Town's existing leash law. When the Green Dog Program was first implemented, there was a high level of compliance with Green Dog participants self-enforcing, but in recent years, due in part to insufficient Town staffing and turnover in the members of the public who are Green Dog park liaisons with the Department, compliance with both the Green Dog Program and the leash law has declined. Non-compliance issues include:

- owners not removing dog feces,
- aggressive dogs going after other dogs as well as DPW staff doing maintenance in a park,
- dogs wandering outside the designated areas, including into children's play areas,
- evening off leash use,
- non registered (and often non-resident) use

In 2016 the Police logged 61 responses to calls about dogs being off leash; however, 75% of the time they weren't able to get there in time, and few citations were issued.

The Department of Parks and Open Space fields even more complaints, receiving calls almost daily, but while the Park Ranger works in coordination with the Animal Control Officer, neither the Ranger nor anyone else in DPW has the authority to enforce the By-Law. The Park Ranger works in coordination with the Animal Control Officer, but does not now have the authority to enforce the Town's By-Law. Passage of Article 18 would change that and improve not just compliance, but also education of dog owners.

Currently the Town has only one full time Ranger, and 5 part-time seasonal employees. The By-Law change is one of several steps that are being developed. Erin Gallentine, Parks & Open Space Director, would like to change this configuration to 2 full-time Park Rangers, an intern and 2 seasonal employees. This By-Law amendment is a first step, but it is hoped that the behavioral change that is necessary will come mainly from education and interaction with Town employees and Green Dog participants.

Every Green Dog park currently has signage, but more is needed and planned. There is also a plan to interact more with the dog owners, and set up contacts through social media between the Parks and Open Space Division and the dog owners to raise awareness, foster cooperation and help report ongoing violations. It was noted that all these problems would go away if people simply owned cats instead.

The Department of Public Works has requested (in their expansion request) the hiring of a second full time Ranger. The \$67,535 budgetary cost for this second FT Ranger would be reduced by a \$20,000 offset from the Recreation Department and by increasing licensing fees and, so the actual cost would be closer to \$47,000.

VOTE:

The Public Safety subcommittee voted 4-0 to recommend favorable action on Article 18. It also voted 4-0 to support the expansion request for the Parks and Open Space Division of the Department of Public Works.