

MINUTES COMMITTEE MEETING
REYNOLDSBURG PUBLIC SAFETY, LAW AND COURTS COMMITTEE
February 26, 2018

Chairman Marshall Spalding called the meeting to order at 7:35 PM

PRESENT: Spalding, Baker, Bryant, Skinner, Joseph

ABSENT:

Approval of Agenda

Agenda stands approved.

Approval of Minutes

a. Public Safety, Law and Courts Committee – Committee Meeting – February 12, 2018

RESULT:	ACCEPTED
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NEW LEGISLATION/DISCUSSION ITEMS

ORDINANCE TO AUTHORIZE THE MAYOR TO PURCHASE TWO (2) UNMARKED VEHICLES FOR THE POLICE DEPARTMENT AND DECLARING AN EMERGENCY. ---
Spalding. Public Safety, Law and Courts Committee.

Mayor McCloud: This was budgeted for the 2018 budget. The funds were set aside. This is to authorize me to enter into contract to purchase two unmarked vehicles from Lindsey Honda. We've taken two unmarked vehicles out of service due to age and disrepair. We'll be trading those in for whatever we can get for them.

Ms. Bryant: Mr. Mayor, do you know, the last time we were here, Acting Chief Early, I had asked him in a perfect world how many cruisers did he need and he said 18. Previous Council, I believe, approved six last year and then we've got another six and a group of four and now a group of two.

Mayor McCloud: These are unmarked Hondas. These are not marked cruisers for the detective bureau.

Ms. Bryant: Separate from the fleet.

Mayor McCloud: Yes. These will not be black and white.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 2/26/2018 7:34 PM
MOVER:	Marshall Spalding, Chairman	
SECONDER:	Stacie Baker, At-Large Councilmember	
AYES:	Spalding, Baker, Bryant, Skinner	

LEGISLATION FOR EMERGENCY ADOPTION

17-18

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ORDINANCE AUTHORIZING “MEMORANDUM OF UNDERSTANDING - FRANKLIN COUNTY DRUG TASK FORCE”; AND DECLARING AN EMERGENCY. --- Spalding, Public Safety, Law and Courts Committee.

Mayor McCloud: I have nothing to add. We have no new information on this since the last reading Mr. Chairman.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 2/26/2018 7:34 PM
MOVER:	Marshall Spalding, Chairman	
SECONDER:	Caleb Skinner, Ward 1 Councilmember	
AYES:	Spalding, Baker, Bryant, Skinner	

LEGISLATION FOR SECOND READING

ORDINANCE AUTHORIZING MAYOR TO PURCHASE SIX (6) POLICE CRUISERS AND RELATED EQUIPMENT FOR THE REYNOLDSBURG POLICE DEPARTMENT. --- Spalding, Public Safety, Law and Courts Committee.

Ms. Bryant: Mr. Mayor, so this is going to be six last year purchased, six purchased this year, and then an additional four for a total of 16 purchased within a two-year span. Is that correct?

Mayor McCloud: I believe so. Ten this year and did you say six last year? I didn't remember that we bought six last year. I don't think that we did.

Ms. Bryant: Yeah, I'm a little concerned about purchasing that many new vehicles in such a short span that we're going to find ourselves in a position where we're having to replace a large number of the fleet all at once.

Mayor McCloud: And that's kind of how we got here. We went several years without buying any. This is in response to Council's authorization to increase the authorized strength. When you hire officers they have to have something to drive.

Ms. Bryant: Sure. Do we have any sort of plan in order to maybe not have to replace so many all at once.

Mayor McCloud: Yes. We will be in a position to do that. Taking a step back on a more macro scale, when I first came in I attempted to do that with almost everything. I quickly realized the financial realities that we had dictated that we would drive things until the wheels fell off or it broke down on the 4th of July parade as our Parks and Rec truck did. We are now at a point where we can plan for the shelf life and begin to rotate these out in appropriate phases so that we're not doing this kind of quantity at once.

Ms. Bryant: Do we have an idea as to what that estimated shelf life would be for these new vehicles?

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Mayor McCloud: I don't, but I can get that to you. Right off the top of my head I don't know.

Unknown: 3-years.

Mayor McCloud: 3-years I'm told.

Mr. Cotner: Our Council Clerk pulled up that information, just to verify, it was three cruisers last year. Two in March and then there was one replaced. Remember we had a totaled cruiser last year that go replaced in April of last year.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 2/26/2018 7:34 PM
MOVER:	Marshall Spalding, Chairman	
SECONDER:	Caleb Skinner, Ward 1 Councilmember	
AYES:	Spalding, Baker, Bryant, Skinner	

ORDINANCE AUTHORIZING MAYOR TO PURCHASE FOUR (4) POLICE CRUISERS AND RELATED EQUIPMENT FOR THE REYNOLDSBURG POLICE DEPARTMENT; AND APPROPRIATING FUNDS THEREFOR. --- Spalding. Public Safety, Law and Courts Committee.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 2/26/2018 7:34 PM
MOVER:	Marshall Spalding, Chairman	
SECONDER:	Caleb Skinner, Ward 1 Councilmember	
AYES:	Spalding, Baker, Bryant, Skinner	

ORDINANCE AUTHORIZING CITY AUDITOR TO REMOVE EQUIPMENT FROM THE CITY'S FIXED ASSET LIST. --- Spalding. Public Safety, Law and Courts Committee.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 2/26/2018 7:34 PM
MOVER:	Marshall Spalding, Chairman	
SECONDER:	Kristin Bryant, At-Large Councilmember	
AYES:	Spalding, Baker, Bryant, Skinner	

LEGISLATION FOR THIRD READING

25-18

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: AMENDING SECTION 505.01 DEFINITIONS OF CHAPTER 505 ANIMALS AND FOWL. --- Spalding. Public Safety, Law and Courts Committee.

Bruce Sowell: 2100 Brice Rd, Reynoldsburg, Ohio 43068. I have some questions about the change to 505. The reason why I'm asking you that is because I kind of find it kind of odd that we have three new members of council and there's no way they could have studied this in this short amount of time. My first question is sir, why is this being pushed at the beginning of the year and by whom?

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Has anyone else here, council people, have the chance to speak to their constituents? Which is mainly myself and other people that live in the area other than a few people. This thing is being dictated and driven by outsiders. Did anyone study whether the animal warden could be hired with some of the new tax money? Now, once again, we heard about what it costs already to defend this thing, but nobody's brought up any solutions. Also, during this last council meeting, a member of council admitted that they either owned a pit bull or had owned one and that's the case that when they call themselves being transparent. That person should recuse themselves from this vote. We have to start looking at our constituents, especially new council members. I have talked to people of various different areas of the city. People have various different opinions, but when you decide to propose this legislation making a major change that affects every citizen in this community without talking to them or at least fixing the code so it makes people safe. You will find that *inaudible coming up talking about their positive aspects of having pit bulls, but they don't talk about the victims. You will never hear them say that. The very first time a kid gets torn up at one of our ball fields or one of our playgrounds or anything like that I will be back. We don't have any fixes. We're just going to do this because somebody said it was a cool thing to do. We have to start looking at our constituents. The constituents are what drive the tax dollars here. If our constituents don't feel safe living in the city they move. So, like I said, there's just no way, I'm just sitting here thinking, I've got three new council members, they just came on, and this is the first thing that pops up! Those are my questions. Thank you.

Dolores Thomas: 1177 Matterhorn Dr, Reynoldsburg, Ohio 43068. I've lived in Reynoldsburg for 57-years. I spoke at the last reading for this subject on pit bulls. I wasn't going to speak tonight because I said everything I needed to, but in the past week I've learned that we really had a problem with animal laws in this city. In fact, it appears we don't have a lot of animal laws. When there was a discussion a few of us were at the blood bank donating and sit around the table and talking and this subject came up and one lady said that she has a neighbor in Reynoldsburg who has 10-dogs in her house. Well, that's a kennel to me. I have four behind me in a house. Then when I said to find out what is the limit on the number of dogs you can have in a house in Reynoldsburg I've learned there doesn't seem to be a limit on the number, so I think that we really need to address that subject. I think that we need to talk about a law to address all dogs. Pit bulls, of course, that's the primary thing right now and that's what we're concerned about, but we really, it appears, need to have a better animal law and hopefully someday an animal control officer that would make sure that people abide by the law of Reynoldsburg. Thank you very much.

Patty Rolwing: 7651 Burkey St, Reynoldsburg, Ohio 43068. I won't say how many years I've lived here, but it's a decade. I too spoke last week at the meeting and I have questions of you and I didn't know if you're permitted to answer questions. Are you?

Mr. Spalding: Sure.

Patty Rolwing: This definition part in the law. It says animals and fowl. Does it affect the fowl section too or are we going to have chickens running around?

Mr. Spalding: Very good and that's a good question because the time that this was brought up

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chickens were also on the agenda, but the particular one that this is focusing on only one thing and it's the one phase and I'll read it specifically what this is all about. Alright? We did it the first reading and I'll do it one more time. Portions that we're asking to be removed is the breed specific language and here's what it says. This portion says that, and it's under vicious animal, it says *inaudible to a breed that's commonly known as pit bull dog. The ownership keeping or harboring of such a dog commonly known as a pit bull dog shall be *inaudible evidence of the ownership keeping or harboring of a vicious dog or other vicious animal. That's the portion that we're asking to be out of the law that breed specific. Everything else that's in there without provocation has killed or caused serious injury to a person. All of the other vicious animal things that deal with dogs we feel is certainly adequate and we do appreciate all the issues that have been brought up about a dog person possibly being hired. That's all good information.

Patty Rolwing: Will you do anything?

Mr. Spalding: Well, absolutely. That is something that we'll discuss, not tonight in this, because this is, we're focusing on just the language here.

Patty Rolwing: I understand that and I appreciate so much.

Mr. Spalding: *inaudible We've appreciated everyone coming forward and sharing their opinions because we certainly try to be respectful and listen because you've been passionate and you've made sense. It isn't like you haven't made any sense. Not a single speaker has been rude. None of you have been ignorant. You've shared your concerns and you care about your safety and you care about everybody's safety.

Patty Rolwing: I care about Reynoldsburg and the children and old ladies like me. I would like to also say that...

Mr. Spalding: One more question.

Patty Rolwing: What?

Mr. Spalding: We're running out of time. Go ahead.

Patty Rolwing: Alright, if we must imitate Bexley and other communities who have been influenced by out of town PITA people then may we also insist like Bexley that pit bulls be sterilized, so there will be no breeding houses of these animals. And I would like to reiterate the number of dogs. We need to put a control on this. We don't want to have a lady with 100 dead cats down on Bartlett. We don't want anybody to have dog feces piling up in the yard from poor Labradors and poor German Shepherds. We need to limit. We need to be sensible. I would also like to ask since we now have judges making legislation and defining terms rather than City Councilman and it seems to be *inaudible in this society even though its ass backwards according to the constitution. If we are to follow that, if we're to change how a law is made, how it is kept, then I would also like you to consider if you would please, that you would train a Police Officer to be an animal control officer

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rather than relying on the Franklin County Animal Control Officer and I told you about me having to wait 2 1/2 hours for this Rottweiler caught in my car port. Thank you. That's all I have to say.

Lori Carlson, 825 Thornwood Drive, Heath, Ohio: Executive Director of the Licking County Humane Society. Thank you for giving me the opportunity to speak on this. We are a private non-profit 5013C agency organized under the Ohio Revised Code 1717 and as such we are authorized to appoint Humane Agents who enforce Ohio's Animal Protection Laws. Each year we in-take approximately 1,900 animals into our facility, which contributes to us, touching the lives of approximately 5,000 animals and 10,000 people per year. As of January 2018, we are also serving the Licking County portion of Reynoldsburg enforcing animal cruelty laws and providing humane education to those in need. Thank you for allowing me to speak on BSL (breed specific legislation). I am here today to speak in support of ending Reynoldsburg's BSL. Pit bulls are not inherently more aggressive than any other dog. Agreeing with me on this position is the American Bar Association, the American Kennel Club, the American Veterinary Association, the Centers for Disease, Control, and Prevention, the National Animal Association, the US Department of Housing and Urban Development, the US Department of Justice, and State Farm Insurance. Let me assure you, State Farm knows something about liability and they do not restrict pit bulls. The CDC's mission is to conduct and support health promotion and prevention and preparedness activities in the United States with the goal of improving overall public health strongly recommends against BSL and it's often cited study about fatal dog attacks. This data indicates that the data is brought with problems and specifically the authors of this and other studies cite the inherent difficulties of identifying what is a pit bull. I brought with me tonight to hand out to each of you a picture of 10-dogs. On the front there's no description underneath them. I would like you to look and see if you can identify which of these 10-dogs are actually pit bulls and then turn it over on the back and find out whether or not you were correct. I think you will find, as many of us have, you're not going to be able to identify who the pit bulls are. It is virtually impossible to accurately identify, using visual only, what is a pit bull. I'm sure that many before me have defined for you what a pit bull means, what breeds that consists of, etc, so I will not *inaudible that point. Even those of us who work with dogs every single day have to make our best guesses about which dogs are pit bulls and without genetic testing BSL will and does erroneously hold owners to an unfair standard of proof that their pet may be amongst a restricted breed and their pet may not even be that breed. There are various factors that do actually effect whether or not a dog is aggressive. These are the things that really count, early experience, socialization, training, gender, and reproductive status. In fact, intact males constitute 80% of all dogs who have behavioral problems. Intact means they have not been neutered.

Mr. Spalding: I will say though, on your behalf, I do appreciate the job that you are doing now in the Licking County and I really want to thank the Mayor for that. The Mayor interceded to make sure that that happened so that we are getting good care for those animals in the Licking County portion and Mayor I really appreciate that. I've had tons of people call me and say "you know we're really pleased we're going to get reports now" and it was something that needed to happen.

Ms. Carlson: We appreciate that and we appreciate working with you. I have to say the call volume was pretty big there in the first month, but I think things are settling down a little bit now.

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Robert Cruse, 989 Hillridge Road, In 2013 I was bitten by a pit bull in Reynoldsburg in the Huber homes area. This dog went after other people and was a vicious dog. He was not licensed, his shots weren't up to date so they quarantined him for 10 days and during that time he got out again and went after somebody and Franklin County came and got him that time. We went to court several times and even Franklin County dropped the case. I was told it was mainly due to the pit bull ban in the city, it gives the courts the impression we're just out to get this breed. I have nothing against pit bulls or any particular breed of dog, I have a problem with vicious dogs and irresponsible owners. If we removed the ban which we are not enforcing we will have more options with control. We can see that all these dogs are licensed and up to date on shots people won't license them because they're afraid they're going to be taken. We can use the laws already existing in the Ohio Revised Code to enforce laws pertaining to vicious dogs. We can hold the owners accountable to their vets. The Franklin County courts will take our claims seriously because we do not appear to be against a breed. Any breed can have vicious animals, I've been around a lot of nice pit bulls but only one real bad one.

Kumar Viviek, 5981 Trevan Way, Westerville: Thank you for the opportunity to talk about this issue. I'm here to talk about the breed specific legislation. For me, any dog or any animal can be dangerous and the real problem is not the dog. I know a lot of trainers myself have worked with them and some of the nicest dogs are pit bulls and I know that because they look big or they have the biggest bite in the dog family they are branded as a bad dog but they are really not the problem is that the people, the real solution I think is educating people on what the actual problem is, is branding a type of dog is like stereo typing people and it will never solve the problem and in the US, we kill a million animals every year. On an average 10,000 dogs are euthanized in the greatest country on earth. We cannot do that, we have to come up with a better solution, we have to treat every animal, every living being the same. They have feelings, they cry, they feel pain we just take them and euthanize them because they can't ** is not the right thing to do. With all due respect I kindly request to repeal this legislation and educate people to solve this problem. Unless we get to the actual problem, these things are going to keep happening and we'll be talking about it forever and there's not going to be a real solution so with all due respect please repeal this legislation and lets educate people. People talking about sterilizing these animals, they should be sterilized. If we really care about this issue we'll get to the bottom of the issue. Thank you.

Stephanie Smith, 1819 Rosehill Road, Reynoldsburg: I also wanted to thank you for allowing me to speak. I wanted to voice my opinion as well. This ban is very outdated and not even enforceable. The city itself has spent a lot of money, like \$48,000 I believe, if I'm correct, trying to enforce this ban that even our own police department says is just not enforceable. These dogs have been in Reynoldsburg for years because frankly our residents don't even know about the ban most of the time. Then when they do find out, it's not even because of the dog acting up or doing something vicious or being vicious in any way, it's just someone spotted it and got scared. I'm sorry but that's not a good enough reason to ban all of them. These dogs are loveable, kind, yes there are bad apples within the bunch just like with us people, you're going to have that, but that's what training is for. There are ways to prevent the attacks from happening and we can't just put the blame on an entire breed. I feel like it's not effective. I feel like it's a complete waste of the city's money in my opinion. I strongly urge anyone that is for this ban to go to our shelters, see these dogs, see them in person,

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they're not vicious, they're just not. But I also urge you guys to repeal this legislation. It's not a safety concern, it's not enforceable and it's not keeping anyone any safer...

Lori Schwartzkopf, 6450 Red Coach Ln, Reynoldsburg: Good evening members of Council, President Joseph, nice to see everyone again, it's as stressful as I remember. Just in case your minds are not made up at this point, I want to talk about what it will mean if you remove pit bull type dog from your city code. It will leave you with the ability to manage any dog that exhibits bad behavior whether its running loose, acting in a menacing fashion or has bitten someone. As Councilman Baker mentioned 2-weeks ago here, you *inaudible vicious dog law to manage those situations. All you will be missing is the ability to predetermine that a dog will act in one of those ways based solely on the way it looks. I also want to confirm what Councilman Spalding and Officer Scalmato mentioned 2-weeks ago, and that is, that this law had not been enforced since the 2nd case was won by a resident in Licking County in October of 2014. Four cases in Licking County were dismissed and three cases in Franklin County, I know you asked that of Officer Scalmato 2-weeks ago and he said he didn't think there were any cases in Franklin County. We had three cases in Franklin County including one that was in mid-trial. All three of those cases were also dismissed. So, clearly this law wasn't very enforceable then and it is even less so now with this appeals court decision in September of 2017. Cities aren't made safer by legislation. Cities are made safer by enforcement of legislation. With breed specific language removed from Chapter 505 you have a very enforceable law. I hope that Reynoldsburg City Council makes the decision to follow the State with behavior based laws tonight. Thank you.

Carmen Haynes, 8125 Harvestmoon Dr, Reynoldsburg: I came here to try to convince you to release the ban. Only because basically based off of what everybody else is saying that any dog can attack. I grew up with a vicious dog and it wasn't a pit bull. It was actually a Chow Mix who attacked one of my friends and they had to go to the hospital and get stitches. I actually owned a pit bull at one time, so I actually had no problem with it growing up. A couple, I guess, also, there's people in Reynoldsburg that have owned pit bulls and they're not aware of the law, so it kind of puts them in a bad situation when you're told you have to get rid of your dog when you've already lived in the community for so long and kind of puts people in a stressful situation, but I do agree that vicious dogs, there should be a law against vicious dogs, but I don't think you should basically go on a witch hunt for pit bulls because not all of them are bad. That's all I have to say.

Mr. Luzader: A number of people brought up the issue of an animal control officer and I would like to ask the Mayor if he would be willing to take a look at that, take a look at the city's finances, and maybe get back with us in a month, possibly even get with the City Attorney and see if the fees that we have for registering vicious dogs, dangerous dogs, and what not are adequate to cover the time spent for an animal control officer to enforce the regulations.

Mayor McCloud: Absolutely, I would be happy to do that. I will follow up with a memo on a timeline to all council members.

Mr. Luzader: Also, to address Mr. Sowell's concern. As I said numerous times and the people who

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have known me over the years I've actually brought my dogs to City Council meetings, but since this issue has been brought up in the last seven weeks I've talked to a number of my constituents and residents in the city and I will say that the vast majority of them told me, this is what City Council has to worry about. They think there are bigger concerns in the city and that's the vast majority of them, but the other percentage that expressed a concern one way or the other, the larger percentage of them say they would like to see the ban stay in place. Now while I respect the decision of the 5th Circuit Court out in Licking County the largest portion of Reynoldsburg is in Franklin County. They are not bound by Licking County and as an elected official who is elected to represent my constituents until the 10th Circuit Court or the Ohio Supreme Court tells me that we have to eliminate this ban I can't support it.

Mr. Joseph: Mr. Mayor, to go back to Councilman Luzader's first question about an animal control officer. If we were to do that what would be the, you can also look into whatever the legalities are, because I know we just signed a contract with Licking County, is that something that we can then get out of? Are we obliged to stay with them for a set period of time? And anyone else that we might have contracts with if you could check on that.

Mayor McCloud: Absolutely.

Mr. Spalding: President Joseph, I think *inaudible there's two sets of *inaudible because a dog warden would be enforcing different things. Licking County Humane Society does is look after distressed animals or animals. They aren't going out and checking for licenses or picking up unnecessarily a stray dog. There doing more, we call them, we see a situation, they come out and give a hand. That's the way that that was kind of written, so there's kind of two different. It still deals with animals, but in two different ways. I do believe that certainly having an animal control officer here would be great. We had one at one time. I think it also became a question of where do we put the *inaudible? We have to always be able to justify the budget as to what we do, but I think it may be time that we go ahead and look at that and this discussion I think you've heard it from literally both sides of the discussion that have said, you know what this would sure be good for us to have an animal control officer, but I think it's certainly worthwhile to look into.

Mr. Cotner: For people coming, I appreciate their time. I appreciate their passion. I've got a dog. I had a dog growing up. I was bit by my dog growing up. Luckily he was a Cocker Spaniel and I didn't end up having any serious problems. They are still animals. I have a concern still of an animal that gets loose. I think they're fabulous pit bulls. Literally, pit bulls are something that people are connected to. They love their pit bulls. They love their dogs. I don't have any problem with that, but we are again representatives. As Mr. Luzader said, I agree with that completely. I've talked to a lot of people who live here, who I see often that still prefer that that level they feel that brings them some level of comfort and safety. Without a better plan in place to just eliminate and change right now I'm not comfortable with that. Four years ago when we had the Ad Hoc Committee there were a lot of points brought up. There were a lot of discussion. We're not really even changing anything tonight. We're just saying that were going to take this word out and I do understand there's still a viable law to enforce, but I don't see how this benefits us by changing this without having any plans in place to move forward and animal control officers a great idea. Looking

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into again, back to what we had with the Ad Hoc Committee pros and cons. I think those are things that we need to be considering before moving in to repealing something that we've had in place. I don't love that we have challenges with it, but I think it does still apply. I'd like to see it continue that until we have a better position to move forward with a better plan for our community. Thank you.

Mr. Spalding: I'll share my thoughts on it too since we're all sharing positions and I clearly understand that you can say well until we have a better position. All we're doing is eliminating the breed specific language. That has nothing to do with an animal control officer. It has everything to do with what other judges. Judges have said over the last three times that we've gone to court. We've lost every single time. They've said that this is likely unconstitutional and even the word unconstitutional bothers me simply because I'm an elected official too. I swore that I'd abide by the constitution at the State of Ohio. Well, if something's unconstitutional then I'm not going to back it. This thing has not been enforced for three to four years. That in itself says this is the only part that's not been enforced. All the rest of these things have been enforced. Not that one part. That's why it should be removed. If we're not going to stand behind it, we're not going to enforce it, then we need to remove that. Either strengthen the lot or remove it, but we can't do both. We literally can't do both. We haven't done a good job. We just haven't. Even when the Police Officer himself came here and said you know guys, I really can't do this thing and I've been given direction not to do it. That in itself is the reason we *inaudible.

Ms. Bryant: I would say in response to Mr. Luzader's comments about the majority of Reynoldsburg being in Franklin County, since our last meeting I did have the opportunity to approach Judge Dan Hawkins, who is the environmental judge of Franklin County Municipal Court and he is the one and only judge that would ever hear a case that would come from here in Franklin County. I had hoped that I would have a more meaningful response to the conversation that we had, but unfortunately I wasn't able to get a hold of him again today, but based on initial conversation he did not appear to me to be in support of breed specific legislation. Now does that mean that he would uphold it or over-rule it as unconstitutional? I honestly don't know. All I can do is tell you that we will never have the opportunity for Judge Hawkins to tell us in a legal opinion or the 10th District Court that over-rides Franklin County. We will never have that opportunity to find out if Franklin County Court finds this unconstitutional or whether it is constitutional because we're not having cases enforced now that are going to result in appearing in front of the environmental court in Franklin County, so we will never have an answer for this, at least not coming through Franklin County. If there's another city somewhere in the state that also has a breed specific legislation it may eventually make it through their court of appeals and then on to the Supreme Court, but that's just not going to happen in Franklin County right now because we're simply not enforcing it and it's not going in front of the courts.

Mr. Baker: Just a general comment. When this law was put into place I don't think it was taken into account that somebody's going to have to give up a member of their family. A lot of people who own pets consider this a member of their family. That's like saying, the constitution passing something saying well, you've got to give up your kid. That's just not right. That's the reason why I oppose this breed specific law because a lot of people have to give up a member of their family for

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this law that's not even being enforced, so I like for Council to take that into account when they vote that this law prohibits people to have a member, considered a member of their family.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 2/26/2018 7:34 PM
MOVER:	Marshall Spalding, Chairman	
SECONDER:	Kristin Bryant, At-Large Councilmember	
AYES:	Spalding, Baker, Bryant, Skinner	