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After attacks, pair of boxers deemed dangerous

May 24, 2007

Dogs collared

By Ryan Burr

LYNN HAVEN

Brenda Circle has a distinction less than two dozen neighborhoods in Bay County can claim: It's home to a dangerous dog — two, in fact.

The Lynn Haven City Commission heard a rare appeal Tuesday night by Evelyn Friday, whose female boxers, Daisy and Tinkerbell, had been deemed "dangerous" under Florida law by the city's animal control officers.

The commission unanimously upheld the distinction, which will require Evelyn, who jointly owns the dogs with her son, Bobby, to obtain a certificate of registration for the dogs from animal control each year, prove a current rabies vaccination has been administered and display warning signs of dangerous dogs at all entry points to their home.

The dogs also must be kept on the Fridays' property or be muzzled.

Daisy and Tinkerbell attacked a Shih Tzu on Oct. 14, 2006, and on April 18, attacked another dog and its owner, who was trying to break up the fight. The incidents were enough for Lynn Haven animal control to declare the dogs dangerous, said Capt. Matt Riemer, who oversees animal control.

Now, if the dogs attack a person or domestic animal without provocation, the owners will be guilty of a first-degree misdemeanor. If the dogs attack and severely injure a human, the owners will face third-degree felony charges. In either scenario, the dogs will be euthanized, said animal control supervisor Ramona Bibbs.

Addressing the City Commission, Friday said she has properly cared for her dogs and that they don't attack unless provoked.

"I've taken Tinkerbell to obedience training school and I'm using those same methods on Daisy. The label of dangerous is not accurate," she said.

Previous cases

This is not the first time a dog has been declared dangerous in Lynn Haven, Riemer said. However, in his 26 years with the Lynn Haven Police Department, only three dog owners have appealed the designation.

He did not know how many dogs inside the city still carry the distinction. In unincorporated Bay County, 20 dogs are labeled dangerous. The dogs and property they live on are inspected annually for a \$50 fee, said county spokeswoman Valerie Michaels.

The state statute concerning damage done by dogs specifies what actions must occur for animal control divisions to declare a dog dangerous. Riemer and Bibbs referenced two sections relevant to Daisy and Tinkerbell: if the dog has "aggressively bitten, attacked or endangered or has inflicted severe injury on a human on public or private property" or has "more than once severely injured or killed a domestic animal while off the owner's property."

According to Bibbs and residents Dale and Tanya Koller, the Fridays' dogs attacked the Shih Tzu, Dale Koller's sister's dog, on the Kollers' property.



Photos by Terry Barner / The News Herald
Daisy and Tinkerbell recently were returned to their owner, Evelyn Friday of Lynn Haven, after the boxers were involved in an April 18 attack.

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off, Dale Koller said at the appeal hearing.

On April 18, Dale Koller said the boxers again came on his property and attacked their dog, Buzz, a schnauzer-poodle mix, causing puncture wounds in its ribs, belly and above the eye.

Tanya Koller told the commission she intervened in the April 18 fight, hitting the boxers with a broom. During the scuffle, one of them bit her on the foot.

Friday faulted Koller for physically putting herself in the fight, saying other options would have been safer and more effective, such as spraying water on the dogs.

In both attacks, Friday said the dogs raced out of her home after someone accidentally left open the door. She has an electric fence around her property, but she said it wasn't installed effectively. She said it has been fixed.

Friday also said that Buzz had barked at and tormented the boxers in her yard while they were caged, and that likely contributed to the territorial aggression toward Buzz.

The Kollers acknowledged that Buzz often ran around the neighborhood while their fence was down to build a pool.

Friday provided statements Tuesday from neighbors who say the boxers are not threatening, but the Kollers had statements from residents who feel they are dangerous.

The Lynn Haven Commission voted to give the dogs a dangerous designation for an unspecified time. Tanya Koller said it needs to be permanent.

"They'll do it again" otherwise, she said.

Riemer said that Friday is a responsible dog owner.

"She'll do her utmost to keep anything from happening," Riemer said.

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