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LOCAL GOVERNMENT

## Thanksgiving dogbite may help revise dog ordinance

By *Sarah Gooding*  
 for *The Wabaunsee County Signal-Enterprise*

ALMA, Kansas (STPNS) -- A Thanksgiving Day incident in which a dog bit a child has the Harveyville City Council trying to decide the dog's fate.

"My understanding is a dog was picked up for having bitten a child on Thanksgiving Day," City Attorney Tom Barnes said at the council's meeting Monday evening.

Harveyville's dogcatcher, Tyrel Buchmeier, said the dog was on a cable, but no fence surrounded the area.

City council member Lester Kimball said the child involved in the incident was in first grade.



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"Do we know what provoked the animal?" Barnes asked.

No one could verify that, but Buchmeier said he received a call from the sheriff's office about the biting incident and went to get the dog and ended up having to call Mayor Dustin Kuntz to assist with the situation because the dog was trying to attack Buchmeier as well.

Barnes asked if there had been any previous incidences in which the dog had bit or been vicious, and Buchmeier said there hadn't been reports since he has been working as dogcatcher, but others indicated that the dog, a German Shepherd mix, has a tendency to bark and growl.

Barnes said the city has the right to retain the dog for 30 days and Buchmeier said they have to keep it quarantined for 10 days to determine if it is rabid. He added that that has been problematic because the dog has tried to attack and bite him when he feeds it, so he has resorted to calling the owner each evening to feed the dog.

The council then read a letter from the owner, who did not sign the letter, which stated that just before noon on Thanksgiving their neighbors ran up to them asking if the dog had had its rabies shots, to which the owner replied that they thought it had. The owner then went to

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a Thanksgiving get-together and, upon returning Friday, noticed the dog missing and found it in the city hall pound.

The letter alleged that the child often teases the owner's dogs with sticks.

Get me all the pertinent details – it sounds like something I'm going to have to take to Judge Carter (Blaine, Municipal Judge)," Barnes said.

City Clerk Ellen Bayless said the dog is not licensed with the city and as of yet there has been no proof provided that it has been vaccinated for rabies.

"If you can't get in there to feed him that pretty much classifies it as vicious," Council member Henry Dreier said.

Barnes said on a second report of an animal biting it generally would be put down, but the fact it is the first time complicates things.

"There's not a doubt in my mind that if given a chance again he'd bit, and not just once," Buchmeier said.

The council questioned specifics of its dog ordinance and Bayless said the city currently limits each household to five dogs unless it has a kennel license, to which Buchmeier said that seemed like too many dogs.

"I recommend we revisit our dog ordinance," Council President Louis Hall said.

The council heard from Wabaunsee County Economic Development Director Abby Dechant and Historical Society member Sam Elliott about Wabaunsee County's 150th anniversary celebration, which is scheduled for June 6, 2009. Dechant and Elliott asked for volunteers from each community to help plan the celebration, and the council agreed to check into schedules and see who might be willing to do so. The first meeting of the steering committee will be 7 p.m. Dec. 15 at the Economic Development Office in Palenske Hall.

In the course of the meeting, Grant Hill stopped by to report that he has started working with the Wabaunsee County Sheriff's Department and will be patrolling the area. He said the sheriff would like all calls run through dispatch rather than anyone calling Hill direct, but he said he should begin part-time work soon.

"Hopefully we can get things quieted down in this area," he said.

City Superintendent Randy Brown reported he just did a leak survey on gas and the city has six underground leaks in town, which Barnes said is not too bad with a system as old as Harveyville's. Brown is addressing the leaks. He also said he has more work to do on the sewer, got the tractor fixed, is aware the snowplow needs repairs and got the lake's water supply shut off from the plant Friday.

The council also approved a CMB permit for Riggin's Market, purchase of a second kennel for the pound with a cap of \$200, checking into the cost of providing new doghouses for the pound, a red flag rule to help prevent identity theft and waiving the fee for a demolition permit where there was a fire.

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