



York dog owners bark back over proposed leash change

Owners angry over proposed leash amendment

A woman walks two dogs on Long Sands Beach, Friday, Feb. 28.
Susan Morse photo

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Of the eight ordinance and other amendments going before voters in May, not even the licensing of massage therapists has rivaled the outcry over whether dogs should be allowed off leash in remote areas of town.

The massage therapist licensing ordinance is now on hold until possibly November, but the change in the definition of a leash in the Animal Control Ordinance moves forward, with six other amendments, to a second public hearing at 7 p.m. Monday, March 24, during the Board of Selectmen meeting in the York Public Library.

What: Public hearing on seven ordinance amendments, including the change in the definition of a leash, on the May 17 ballot

The amendment is a minor change, removing electronic collars from the definition of a leash, a house-cleaning item that wasn't picked up during a recent change in the leash law, according to Police Chief Doug Bracy. However, the change has again raised complaints from dogs owners who see no reason why their trained dogs can't run without restraint on desolate, wooded trails.

Since 2006, the town has made three changes to tighten the Animal Control Ordinance, according to Bracy.

"The (new) ordinance change is coming from me to address problems coming from the animal control officers," Bracy said during the first public hearing in February. "If you're a good owner, it's not a problem. Other people rely on electronic collars and don't control them."

The leash law in York requires that dogs off their own premises be leashed except for hunting dogs, dogs used for law enforcement, service dogs, dogs on private property with the owner's permission and dogs at public beaches, off-season and in-season, within certain hours.

Off season on York's beaches, dogs can be unhindered if under voice control and the owner is carrying a leash, according to the ordinance.

In season, between sunrise and 8 a.m., May 20 through September 20, dogs can run free on the beach under the same conditions. There are no dogs allowed on the beach, leashed or otherwise, between 8 a.m. and 6 p.m. May through September.

Should the new amendment go on the ballot and be approved on May 17, electronic collars would be removed as permissible leashes, requiring most dogs to be leashed at all times they are off their owners' property and in the woods.

Resident Robin Rubin trains dogs and moved to York in 2005 at least in part because of the town's dog-friendly laws at that time, she said during the Feb. 24 public hearing.

Before the law is "impulsively put on books," she said, "there should be more (study) on how it affects people. A lot of people bitten by dogs are bitten by dogs on a leash."

Resident David Tibbetts said "York is not homogenous. It didn't make sense to have an ordinance that covers the entire town. Research what other communities have done. I think there is a balance that can be made."

His comment about York's more rural areas was seconded by Gary Cameron, who lives on Old Mountain Road.

"One of the reasons I live up there, I love the woods," Cameron said. "My dog is the best trained dog off-leash."

Cindie Collins, also of Old Mountain Road, said she runs on Second and Third hills in the Mount Agamenticus area.

"Why has this come up?" she asked. "The signs have already been up. I'm a responsible dog owner. I don't understand the difference between a hunting dog and my dog. A hunting dog is going to go out and poop. My dog is probably going to run off and poop."

The signs are up at the heads of trails in the public water supply area of the York Water District. The signs state all dogs must be on a leash of 15 feet or less and that removal of dog waste is mandatory, among other rules.

The York Water District, and also Kittery Water District, owns much of the remote acreage around Mount Agamenticus where residents and tourists like to walk, jog and mountain bike, often with their dogs.

The York Water District is a quasi-municipal agency that can set its own rules on its private property, according to town officials.

The district allows hunting, snow shoeing, hiking, biking and other activities, according to Superintendent Don Neumann.

"It would be a lot easier for us to shut it down to dogs," Neumann said, or to other potential pollutants such as ATVs. They want to keep the property open to leashed dogs, he said.

The York Water District has set its leash law standards to align with town law, according to Neumann. However, the water district has another reason for enforcing the rule other than people being bothered by loose dogs. It's to prevent dog waste from filtering down into the town's drinking water.

Resource Protection Officer Gary Stevens began enforcing the leash law this spring by issuing summonses that come with fines of \$100 to \$500. So far, he's given out four summonses with fines of an estimated \$100 each, compared to Animal Control Officer Larry McAfee who has said he has issued more than 30 summonses since the leash law was tightened in 2010.

Stevens has said the rule has not been well received, with one sign mandating dogs be leashed having been ripped down 13 times. Stevens finds dog waste out in the open on trails, or in bags, sometimes hanging from tree limbs after the dog's owner has tossed the bag into the woods, he said.

Stevens said last Wednesday he understands it's difficult to mountain bike beside a dog on a leash.

"It's not two dogs from York," Stevens said, "450 dogs come through there. Day after day, they're pooping all over the place."

Pet waste and its effect on water pollution is being addressed in numerous arenas in York, by the Conservation Commission, the Cape Neddick River Association, a Lawns 2 Lobsters initiative to prevent lawn pesticides and waste from flowing into the watershed; and a federally mandated storm water management plan that went into effect July 1, being administered by town Shoreland Officer Leslie Hinz.

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