

ATTACHMENT A

As referenced in Article 26 of the June 5, 2021 Annual Town Meeting Warrant

Animal Control Bylaw - Proposed

Dogs Running-At-Large; Unrestrained

1. For the purpose of this section, the term restrained shall be defined as: A dog that is secured with a chain or leash of sufficient material and strength as necessary to restrain the dog and which is held by a person capable of controlling the movements of the dog or at heel beside a competent person and/or obedient to the commands of that person.
 - a. Any dog that is found to be causing damage to public or personal property, or acting in such a way that a reasonable person would consider it to be a nuisance shall be considered in violation of this section, regardless of the restraint method used.
2. No owner or keeper of any dog within the town limits shall allow any dog, whether licensed or unlicensed, to wander or roam-at-large on private property without permission of the owner thereof, or on any public property within the Town, including but not limited to public ways, school grounds, recreation areas and cemeteries, unless the dog is properly restrained.
 - a. Any public property that is owned by the Town of Buckland, shall not be posted or signed to require a dog to be restrained by a leash or chain only, unless such posting or signage is approved by the Buckland Selectboard, during a public hearing at a scheduled and posted Selectboard meeting.
 - i. The Buckland Selectboard may set time and or calendar limits for enforcement during the approval process.
 - ii. The Buckland Selectboard may make the posting or signage of public property temporary. Note: This shall be defined as **Temporary Order of Leash Restraint (TOLR)**. A TOLR can be issued for up to 4 weeks, the purpose of a TOLR is to allow the town to issue a temporary order to support events or activities on public lands.
 1. The maximum period of time a TOLR can be valid is for 4 weeks.
 2. The Selectboard must set the date and time that the TOLR starts and vacates at the time of approval. The TOLR will automatically vacate at the specified termination time and no public hearing will be required for termination. The TOLR time period may only be extended during a public hearing at a scheduled and posted Selectboard meeting. However, the Selectboard may vacate the TOLR earlier then the specified termination date/time during a regular scheduled and posted Selectboard meeting.
 - b. Any signed or posted public property issued on 2b above shall remain in affect year round until such approval is revoked by the Buckland Selectboard during a public hearing at a scheduled and posted Selectboard meeting. Unless such order was a temporary order, which will automatically vacate at the date/time specified.
3. Any dog being used for lawful hunting, training, sporting, working purposes and accompanied by its master, who must accept full responsibility for the dog's behavior, shall not be considered running unrestrained.
4. Any dog, whose owner or keeper is found to be in violation of this bylaw, and not under the immediate control of the owner or keeper, may be picked up by any law enforcement officer and either returned to the owner or keeper or deposited in a dog pound or similar facility. The owner or keeper shall be responsible for paying all costs of maintaining and keeping the animal at the dog pound or similar facility. Except as otherwise permitted by this bylaw, unrestrained or unlicensed dogs may be sought out, caught and confined by the Animal Control

Buckland Shelburne Youth Baseball

P.O. Box 102, Shelburne Falls, MA 01370

July 8, 2021

Board of Selectmen
Town of Buckland
17 State Street
Shelburne Falls, MA 01370

Dear Sirs,

I am writing to you today in response to the recently approved changes to the Town Bylaws as they relate to dogs. I myself am a resident and dog owner, but today I am writing to you as the President of Buckland Shelburne Youth Baseball (BSYB). We are a privately organized and funded, volunteer lead youth baseball league, which primarily services the students of Buckland Shelburne Elementary (however any child is welcome to play for us). We currently have between 90-100 players, who compete at both recreational and tournament levels of play, under the larger parent organization of Mohawk Youth Baseball. This past season, BSYB had 9 recreational teams and 2 tournament teams calling Cricket Field home. Given our large numbers we also use the Buckland REC, the field behind BSE and the field on Little Mohawk Road (Shelburne) as practice fields. We hosted 56 games at Cricket Field this season along with countless practices at the other fields. Our players competed against other teams from Ashfield, Charlemont, Colrain, Hadley, Greenfield, Deerfield, Whately, Sunderland, Conway and Hatfield (Rowe, Chesterfield & Worthington did not have programs this year), having an estimated 350 players on Cricket Field just this past season.

Every spring, we organize a "Field Clean up Day" to prepare each of the fields before the start of our season. Teams and their families are assigned to different fields and asked to show up with rakes, shovels, leaf blowers, etc. to put in the hard work needed to make the fields ready for the season. Each year, the volume of dog waste we have to clean up seems to increase. I wish it stopped there. But throughout the season, residents continue to walk their dogs on these athletic fields. Some dog owners are responsible and clean up after themselves, but most do not. I am concerned about the health and welling of these approximately 350 players who are running, diving and sliding in dog waste. When a ball is hit, it rolls through the grass (and whatever may be in that grass), picked up by a player, perhaps put in a glove, thrown to another player, the spreading continues... The players are wiping their brows, rubbing their eyes, and getting drinks and snacks between innings. The ingestion of dog waste (or even just inadvertently getting it in your eyes) can lead to bacterial and/or parasitic infections. My concern is, that even when responsible dog owners clean up after their dogs, there is still a smear or some remains left for our kids to (unknowingly) come in contact with.

My reading of the newly passed dog bylaws suggests that dog owners are allowed to walk their dogs on town property, which includes the athletic fields previously named. Do the current dog

bylaws as written address any of the health and safety concerns I have identified? Can we have a discussion about how we can better protect our children using these fields?

Very truly yours,

Leah M. Phillips

Leah M. Phillips, President
Buckland Shelburne Youth Baseball