DOG CONTROL BYLAW REVIEW COMMITTEE CHARTER (Draft)

Introduction/ Background

As a town, Medfield is fortunate to have significant areas in town that are maintained as open space, to both help preserve a healthy, clean environment, and to provide town residents and others with outdoor recreational opportunities. In most cases, people have been free to pursue recreational activities without experiencing interference from others pursuing their own recreational opportunities. The one significant exception to this general state of affairs has been a series of unwanted encounters between dog walkers and other people out enjoying the town's open space. In some cases, these encounters have been between the dogs and the people they encounter. In other cases, they are encounters between the dogs and other dogs also being walked.

While these encounters are by no means the norm, they have occurred often enough to cause several people to stop taking advantage of the town's open spaces. This is a result that runs counter to the town's desire to make its open spaces widely available to all town residents. While the town has not yet experienced a serious situation resulting in serious bodily harm to anyone, the potential for that occurrence is real. That introduces a serious legal liability that should not be ignored.

Over the past several years, the town has been hampered in its efforts to effectively deal with this situation for a couple of reasons. First, the town's ability to establish and enforce rules to regulate how dogs must be controlled on the property is limited by the town's existing bylaws. While the town can put up signs announcing rules, compliance with those rules is largely dependent upon the cooperation and sense of personal responsibility of dog owners who bring their dogs onto the property. Fortunately, that's enough to obtain compliance on the part of the vast majority of dog owners, but it's not enough to obtain the compliance of a small, but not insignificant, number of uncooperative dog owners who place their own interests in using the property above the interests of others who also want to use the property.

The town has looked at enacting more rigorous rules, backed up by more significant punishments for breaking those rules, but in pursuing this course of action, we face a further obstacle in not having the staff available to effectively enforce compliance with those rules to ensure that the rules are effective. In the absence of effective enforcement of the rules, all introducing more comprehensive rules and regulations does is to reinforce the notion held by uncooperative dog owners that there are no consequences for them if they just ignore the rules and do whatever they want.

This committee is being formed to try to find a way through this dilemma in order to ensure that the town's open spaces are a resource that everyone in town can feel comfortable using, without fear or trepidation. Specifically, the charter of the Dog Control Bylaw Review

Committee is to develop ideas and recommendations, captured in a proposed change to the town's dog control bylaws, that can be presented to the town at next spring's Annual Town Meeting for potential adoption. By design, the membership of the committee is structured to ensure that all significant perspectives of town residents who are interested in using the town's open spaces, or who are directly affected by those who do, are taken into consideration during the development of these recommendations. A major challenge of the committee will be to identify those various perspectives and to collaboratively reconcile them to arrive at a policy and practical approach for managing dog activity on the town's open spaces that will enable everyone to fully enjoy the property.

Scope/ Focus of Committee Activities

The focus of this committee's efforts should be on the town's approach to managing dog-walking on the town's open spaces, although it's possible, if not likely, that these recommendations will be incorporated into the town's existing dog control bylaws. At this time, dog control in residential areas and other developed properties does not appear to be an issue of concern (other than in residential areas that abut open spaces). While the recommendations are likely to be applicable to all open spaces in town, of particular interest are the following major open spaces –

- Town-owned/ controlled Medfield State Hospital property, to include the property south of Hospital Road
- Open space adjacent to the Wheelock School
- Noon Hill Reservation
- The new Rail Trail

Committee Membership

- Medfield Animal Control Officer
- Representatives from MSH and Wheelock properties? (1 from each area)
- Abutters of MSH and Wheelock properties (1 from each area)
- 2 – 3 dog walking advocates
- 2 – 3 users of town open spaces that don't have dogs
- Assistant Town Administrator or Town Planner

Deliverable

Develop a set of recommendations for acceptance by the Board of Selectmen to be included as a Warrant Report article for the 2023 Annual Town Meeting.