



**MINUTES
REGULAR CITY COUNCIL MEETING
GLADSTONE, MISSOURI
MONDAY, SEPTEMBER 25, 2017**

PRESENT: Mayor R. D. Mallams
Mayor Pro Tem Bill Garnos
Councilmember Jean Moore
Councilman Kyle Yarber

City Manager Scott Wingerson
City Counselor Chris Williams
City Clerk Ruth Bocchino

ABSENT: Councilmember Carol Suter

Item 2. On the Agenda. ROLL CALL.

Mayor R. D. Mallams opened the Regular City Council Meeting Monday, September 25, 2017, at 7:30 PM in the Gladstone City Council Chambers. All Councilmembers were present with the exception of Councilmember Carol Suter.

Item 3. On the Agenda. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA.

Mayor Mallams stated: *"At this time, I'd like to introduce Gladstone's VFW Post 10906 for the Pledge of Allegiance to the Flag of the United States of America, and introduced the Honor Guard Commander Bill Driscoll, Post Commander Karla Gleaton, and Stan Stoner."*

Item 4. On the Agenda. Approval of Agenda.

Councilman Yarber stated: *"Mayor Mallams, I would like to remove an item from the Consent Agenda, Resolution R-17-40."*

City Manager Scott Wingerson stated: *"Mayor, just for clarification, Resolution R-17-40 will become Item 8a on your agenda. So it will be taken up just after your vote on the Consent Agenda, and we will move on to the balance of the agenda."*

Item No. 5. On the Agenda. Approval of the Closed September 11, 2017, City Council Meeting Minutes.

Councilman Yarber moved to approve the minutes of the Closed September 11, 2017, Closed City Council meeting as presented. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos and Mayor R.D. Mallams. (4-0)

Item No. 6. On the Agenda. Approval of Regular September 11, 2017, City Council Meeting Minutes.

Councilmember Moore moved to approve the minutes of the September 11, 2017, Regular City Council meeting as presented. **Mayor Pro Tem Garnos** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos and Mayor R.D. Mallams. (4-0)

Item No. 7. On the Agenda. **PROCLAMATION: FIRE PREVENTION WEEK**

Mayor Mallams read the Proclamation and presented the Proclamation to Fire Marshal Patrick Farrens and stated: *“We are very fortunate to have our First Responders, the quality of them, within our City of Gladstone.”*

Item No. 8. On the Agenda. **CONSENT AGENDA.**

Following the Clerk’s reading, **Mayor Pro Tem Garnos** moved to approve the Consent Agenda as modified. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos and Mayor R.D. Mallams. (4-0)

Mayor Pro Tem Garnos moved to approve **RESOLUTION R-17-41** A Resolution authorizing acceptance of a proposal from Shawnee Mission Ford, Shawnee Kansas, for the purchase of three (3) 2018 Ford Police Interceptor SUV vehicles for the total purchase amount of \$82,791.00. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos and Mayor R.D. Mallams. (4-0)

Mayor Pro Tem Garnos moved to approve **RESOLUTION R-17-42** A Resolution authorizing acceptance of a proposal from Olathe Ford for the acquisition of two (2) One-Ton Crew Trucks in the total amount of \$90,192.00. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos and Mayor R.D. Mallams. (4-0)

Mayor Pro Tem Garnos moved to approve the Financial Report month end August, 2017. **Councilmember Moore** seconded. The Vote: “aye”, Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos and Mayor R.D. Mallams. (4-0)

Item No. 8a. On the Agenda. **RESOLUTION R-17-40** A Resolution authorizing the City Manager to execute a contract with Fleshman Construction, Incorporated, in the total amount not to exceed \$163,430.00 for the 7001 North Cherry 2nd floor office remodel, Project CD1854.

Mayor Mallams stated: *"Chris I'm going to ask you to walk us through the Resolution now that it has been withdrawn from the Consent Agenda."*

City Counselor Chris Williams stated: *"It just becomes Item 8a on your agenda so you can open discussion on it, you can take a motion for action, whatever the Council's pleasure is."*

Mayor Mallams stated: *"We will open it for discussion and, Councilmember Yarber."*

Councilman Yarber stated: *"Yes, I, there are simply issues that I think are appropriate for the City to take up and issues that are not. I accept that I am in the minority but this is an issue that I think is inappropriate for the City."*

Mayor Mallams asked if there were any further comments or discussion.

There were none.

Councilmember Moore moved to approve **RESOLUTION R-17-40** A Resolution authorizing the City Manager to execute a contract with Fleshman Construction, Incorporated, in the total amount not to exceed \$163,430.00 for the 7001 North Cherry 2nd floor office remodel, Project CD1854. **Mayor Pro Tem Garnos** seconded. The Vote: "aye", Councilmember Jean Moore, Mayor Pro Tem Bill Garnos, and Mayor R.D. Mallams. "Nay", Councilman Kyle Yarber. (3-1)

REGULAR AGENDA.

Item No. 9. On the Agenda. Communications from the audience.

Marqus Smith approached Council and stated: *"My name is Marqus Smith, I live at 2306 Northeast 59th Street. Good evening, Mayor and City Councilmembers. I'm here today to talk about the dangerous dog ordinance and the breed specific legislation attached to it that we currently enforce. You might ask, what is breed specific legislation? Or, known as BSL. It's actually a blanket term for laws that either regulate or ban certain dog breeds. I do want to start off in saying that the dangerous dog ordinance is not a bad ordinance. The only thing is we need to remove pit bull, pit bull type dogs, from automatically becoming dangerous dogs. If a dog is aggressive or has attacked in an unprovoked manner, yes, it needs to be labeled dangerous. And the ordinance is good for that. It needs to be based on the behavior of the dog, not the breed, and that is not the case right now. Under Section 2.105.010, under definitions, the term 'dangerous animal' means 'any dog of a pit bull breed, mix, combination of breeds, commonly known as pit bull, predominantly displaying characteristics and behavior of a pit bull.' It goes on to say, 'pit bull means the bull terrier, the Staffordshire bull terrier, the American pit bull terrier, the American Staffordshire terrier, and any dog that has the appearance or characteristics of a pit bull. I started volunteering at the Gladstone Animal Shelter because of a pit bull named "Tommy." I eventually took him home. It took a couple of months, because of this ordinance. I didn't feel right muzzling him. He loves all people and animals. We take home foster kittens. He looks out for them, he teaches them to walk, he even gives them baths. He loves to play and fetch, but we can't in our own back yard and it is because of Section 2.105.060, titled "Dangerous Dogs." 'No person shall permit a dangerous dog to go outside its enclosure unless secured on a*

leash no longer than four feet in length and muzzled.' He can't go outside and play. He can't play fetch in our own fenced-in backyard. He can't pick up a ball or play with his muzzle on. He is actually a great ambassador for dogs; pit bulls and large dogs. Everywhere he goes he changes people's outlook on the breed. Wearing his muzzle prevents him from making good impressions on people. It makes him look aggressive and dangerous. The act of wearing a muzzle furthers people's hate and prejudice against the breed. It goes on to say 'no such dog shall be kept in a house or structure when the windows are open or when screened windows or doors are the only barrier preventing the animal from exiting. That means on a nice day I can't open up my windows and enjoy the fresh air. 'All owners of dangerous dogs shall provide proof of public liability insurance in the amount of \$300,000.00.' For me that is an additional cost over any other dog owner. You might ask, are these breed specific laws effective? They are not. There is no evidence that shows these ordinances actually work. These ordinances only punish good, law abiding dog owners. Criminals and dog abusers don't follow ordinances or laws. Studies have shown that it is impossible to determine the dogs' breed simply by appearance. There are a lot of breeds mistaken for pit bulls. It comes down to somebody's opinion and it's commonly wrong when you compare it to a DNA test. Shelters are overpopulated with sweet and loving dogs that people shy away from because of an ordinance. I was one of them. This ordinance runs off potential tax paying residents and businesses. Responsible dog owners will call ahead to check to see what our ordinances are. I do want to say thank you for your time. I put together packet researches for you guys to review. If you would like to see a so-called dangerous dog, I'd love for you to meet Tommy. He will definitely change your mind."

Mayor Mallams stated: *"Marqus, we will ask our city staff to review the ordinance on dangerous dogs and we will focus on the area of pit bulls. I do understand what you are saying about the behavior of the dog vs. the actual breed and I do understand your concern of the use of the muzzle and a very short leash. I appreciate, we all appreciate, you coming forward with this and yes, if you will leave the information, if you will hand it out now for each of us, we will take it from there. Markus, thank you."*

Mayor Mallams asked if there were any other members of the audience who would like to speak with the City Council this evening.

Donney Drew approached the Council and stated: *"My name is Donney Drew and I live at 1908 Northeast Englewood. On Friday, August 11, I had just finished mowing my yard and I was raking it when all of a sudden, a dog grabbed my right leg and pulled me to the ground. He began biting and circling me. It was my neighbors' dog from 1910 Northeast Englewood. I was screaming, and my neighbors discovered that their dog was free and came to chase him away. An ambulance was called and I was taken to the North Kansas City emergency room. I was there about eight hours. I received 150 staples and stitches to close my injuries from the dog. I had several lacerations on my left arm and my right and my right leg. This was not a bite. This was an attack and he had no intention of letting me go. The dog was taken by Animal Control for 10 days. I assumed that the dog would be put down because of the attack but no, it was not. The owner wanted him right back next door to me. I was shocked that a dog's life was more important than a human being. We had a hearing in this courtroom on August 29. Judge Richard Rose could have ordered the dog down, but he chose to give him another chance to attack someone else. Even in that courtroom, I was shocked that a dog's life was more important than a*

human being. In this court, Judge Rose decided that the dog had rights and that I didn't. He said that I could sue for compensation from the owner. This dog has crossed the line of being allowed to live with humans. The Judge could have done the right thing by keeping our neighborhoods safe from this dog, but he chose not to. I'm healing from my physical injuries, but the psychological, not so much. I'm seeing a counselor to deal with the trauma and fear of this dog that lives next door to me. There is a daycare right in front of our homes. There is a pre-school right behind us with their playground butted right up against our backyards of both my fence and the neighbor's fence. I have informed both of these schools what this dog did and that the Judge had let him live. They were all shocked. I have also informed the neighbor on the other side, he was also as shocked that the dog was not put down. The school behind us had to put up a privacy fence to keep the dog from barking and scaring the children. The neighbor on the other side complained and a privacy fence was also put up on that side. At least two complaints were filed against this dog prior to it attacking me in my front yard. It may be a right to have whatever dog you want, but the neighbors should not have to pay for fences to be put up for their safety or the monetary or the physical pain of being attacked by a dog on their property in their front yard all because one neighbor wants a certain dog. Again, I say when a dog attacks a human, they should not be allowed to live among us. I've not mowed my yard since August 11. The man that is mowing my yard is now carrying a sidearm. People are arming themselves on Englewood because of one dog that no one in authority is willing to do anything about. What will it take or who will it have to kill before the City of Gladstone decides we will not tolerate this kind of behavior from a dog? I've had to retain an attorney because the neighbors at 1910 don't think they are responsible. They have not been forthcoming with any kind of information on their insurance. They have not offered to pay any of my bills, which are coming in and the hospital alone is pretty massive. Someone should hold people accountable if they choose this kind of dog, fine, but there should be some responsibility with it. I would like you as a City Council to protect our Gladstone from such attacks. You can't stop the first one, but you can stop the second one, and the ones further down the road. Maybe you could stop it from happening to one of the children from these schools. Is there anything, I'm just asking you, is there anything that we can do to get this dog off Englewood to keep our street safe and what can I do to help you accomplish this? Most of us see this dog as a dangerous dog. I just ask you that you put a value on human life instead of a dog. I do have pictures if you have the guts to see them. They are pretty graphic."

Mayor Mallams stated: "I'm going to hold off on the pictures. I take your word for it. I will look at our City Manager and I'll ask our City Manager to make sure that, I'm seeing Chief Hasty back there, too, our Chief of Police, Mike Hasty, I want you to get with him for a few minutes and he will take some notes. I totally understand where you are coming from and the psychological and medical trauma that you have gone through. There are ordinances related to dogs such as this. It was your front yard and I assume that the dog in the neighbor's house came from the front?"

Ms. Drew stated: "They usually sit out on the front porch with it and it somehow got away from them and it just immediately attacked me."

Mayor Mallams stated: "I am so sorry, and yes we will have Chief Hasty speak with you."

Ms. Drew thanked the Council.

Mayor Mallams asked if there were any other items for discussion from the audience.

There were none.

Item No. 10. On the Agenda. Communications from the City Council.

Councilman Yarber stated: *"Thank you, Mayor. Listening to the testimony of the last two people, we see a night and day experience between animals which is a good reason to revisit some of our laws to make sure that they are addressing behavior and we will all take a closer look at that. We have a lot of good stuff coming up this weekend. Of course, Gladfest, I'm sure everybody is aware that is coming up. We have the carnival, we have the parade, we have camels, we got everything coming up and we are all looking forward to that. And, the big news for us around City Hall because he was a gentleman that spent a lot of time around here, the Grand Marshal was announced last Thursday, and it will be our former City Manager Kirk Davis will be our Grand Marshal for the parade."*

Councilmember Moore stated: *"I just want to extend my congratulations to Carole McGuire from Community Development. Today was her retirement day and there was a great party at City Hall and I had the opportunity to be there in your stead. Just congratulations to Carole. She has been a great employee and she will be deeply missed."*

Mayor Pro Tem Garnos stated: *"Thank you Mayor. I too want to try to get on top of this breed specific and dangerous dog legislation. I think that is the third or fourth time we have had a public comment on it. I'm not sure what the answer is but I know we need to do some research. When those things got passed, they kind of all got passed in a wave all at one time and they became very popular and everybody passed them. I think it is probably high time to revisit to make sure that we are not hurting the people that are trying to rescue the pit bulls, or save them, or have a good one; but at the same time, we can deal effectively with dangerous dogs. I am a dog lover. Also wanted to mention last Saturday, Hero Fest at Linden Square. Big celebration for our first responders. Laura Moritz from KMBC 9 News did a terrific job hosting it. She did a great job and I wanted to be sure to thank her. Last Tuesday I got to sit in on another exciting Board of Zoning Adjustment meeting. It took five staff and five board members to approve a shed. That was very exciting. I look forward to Gladfest this weekend and celebrating all things Gladstone."*

Item No. 10. On the Agenda. Communications from the City Manager.

City Manager Wingerson stated: *"Thank you, Mayor. A little bit of friendly competition between the Police Division and the Fire Division having to do with the Blood Drive. The winner is Police by a score of 17-5. I'm sure next year it will be 18-17 or something like that. Thanks to everybody who chose to donate blood. A good time of year to do it. I was going to talk about Carole and just glow on her but Councilmember Moore did that for me so thank you very much. Public Works was fortunate enough to be asked to pilot a new technology here in the city. There is a new crosswalk at the northeast corner of Central Park, it crosses North Campbell and*

connects to a neighborhood path that winds through there. It is a new kind of crosswalk. It's a very thick plastic that is heated but it's formed to the shape of bricks. Very decorative, very well done at no cost to the city as a pilot for the company that does that kind of work to see how it weathers through the seasons. A bit of a test. I am proud that Public Works was selected by the company to do that. We had some street damage and drainage damage during the heavy rains in July at 58th Terrace and North Park. That road was closed since then. It's officially complete today and back open to traffic. Thanks to Public Works and the contractors for working so efficiently to get that done so quickly. Our next area of focus from damage from the storm has to do with Rock Creek Greenway Trail. That's been authorized to move forward and reconstruction should start on that soon. Thank you, Mayor."

Item No. 12. On the Agenda. RESOLUTION R-17-43 A Resolution authorizing the preparation of certain documents and the taking of certain actions relating to a Lease/Purchase transaction to finance and refinance certain improvements for the City; authorizing the City to retain an investment banking firm relating thereto; and prescribing certain other matters relating thereto.

Councilmember Moore moved to approve **RESOLUTION R-17-43** A Resolution authorizing the preparation of certain documents and the taking of certain actions relating to a Lease/Purchase transaction to finance and refinance certain improvements for the City; authorizing the City to retain an investment banking firm relating thereto; and prescribing certain other matters relating thereto. **Mayor Pro Tem Garnos** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos and Mayor R.D. Mallams. (4-0)

Item No. 13. On the Agenda. RESOLUTION R-17-44 A Resolution authorizing the City Manager to execute a Guaranteed Energy Savings Performance Contract defined by RSMo. 8.231 by signing an Energy Savings Performance Contract Agreement with Navitas for an amount not to exceed \$4,200,000.00.

Mayor Pro Tem Garnos moved to approve **RESOLUTION R-17-44** A Resolution authorizing the City Manager to execute a Guaranteed Energy Savings Performance Contract defined by RSMo. 8.231 by signing an Energy Savings Performance Contract Agreement with Navitas for an amount not to exceed \$4,200,000.00. **Councilmember Moore** seconded.

Councilman Yarber stated: *"Very briefly, we are a green city and this has been presented as a green plan. Much of it I agree with. The use of LED lighting, all this sounds good. I do have an issue with the use of natural gas. I don't feel that is the greenest solution. But again, as I said earlier, I accept being in the minority in this case but I will be against this."*

Mayor Mallams stated: *"I have to bring up that, and I'll use Koby back here as our presenter from Navitas, if we compare the burning of natural gas to coal, the natural gas, does it burn cleaner?"*

Koby Kampschroeder approached Council and stated: *"Yes, natural gas is one of the cleanest fossil fuels. You will hear a lot of people ...(unintelligible)...converting all their busses to natural*

gas because it is a cleaner fuel. For our project, it will reduce your carbon footprint. I think we were using about 7 million pounds of carbon, CO₂, per year, and the way it is set up, or that is equivalent to about 14.5 rail cars of coal. If you look at it that way, it's fairly significant in what it is saving. The natural gas use is actually a fairly clean energy in the way it is utilized compared to coal which is used for creating electricity."

Mayor Mallams stated: *"Since we have you here, what is the approximate savings to our taxpayers here in Gladstone by making these conversions to a cleaner energy?"*

Koby Kampschroeder stated: *"Yes the way the program is set up, it's over 15 years, so it would be about \$4.4 million dollars in energy cost savings."*

Councilman Yarber stated: *"I'll just add on one comment. Though it is cleaner than coal, the process in which it is extracted is extremely destructive to the environment and will cause great problems to the groundwater in the future and we are downstream. Anyway, that is more my, the extraction method is more my complaint against gas."*

The Vote: "aye", Councilmember Jean Moore, Mayor Pro Tem Bill Garnos and Mayor R.D. Mallams. "Nay", Councilman Kyle Yarber. (3-1)

Item No. 14. On the Agenda. Outdoor Special Event

- Gladfest, 7010 North Holmes Street, Gladstone City Hall Grounds and Central Park, Friday, September 29, 2017, 5:00 pm - 10:00 pm, Saturday, September 30, 2017, 10:00 am - 10:00 pm, Sunday October 1, 2017, 12:00 pm – 4:00 pm.

Councilmember Moore stated: *"I have a question about this event, or about the exceptions that we are making here. I didn't see anything about having the requirement, that we are allowing dogs at the festival this year, so do we have little doggie potty materials?"*

City Manager Wingerson stated: *"There are several doggie potty stations scattered around The Heights. We are looking into now the ability to either purchase two that can be moved from festival site to festival site for the Linden Square area. Again, owners will be discouraged from allowing their dogs to do that sort of thing in close proximity to people and of course hopefully they are polite to pick up and dispose of the dogs waste before they leave the area. To answer your question, we are looking for two temporary stands for the additional dogs."*

- **Councilmember Moore** moved to approve the Outdoor Special Gladfest, 7010 North Holmes Street, Gladstone City Hall Grounds and Central Park, Friday, September 29, 2017, 5:00 pm - 10:00 pm, Saturday, September 30, 2017, 10:00 am - 10:00 pm, Sunday October 1, 2017, 12:00 pm – 4:00 pm. **Councilman Yarber** seconded. The Vote: "aye", Councilman Kyle Yarber, Councilmember Jean Moore, Mayor Pro Tem Bill Garnos and Mayor R.D. Mallams. (4-0)

Item No. 16. On the Agenda. Other Business.

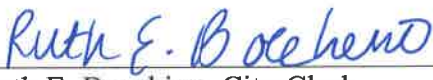
There was no other business to come before the Council.

Item No. 17. On the Agenda. Questions from the news media.

There were no questions from the news media.

Item No. 18. On the Agenda. Adjournment. **Mayor Mallams** thanked the audience for being available and adjourned the Regular City Council meeting at 8:08 pm.


Respectfully submitted:



Ruth E. Bocchino, City Clerk

Approved as submitted: 

Approved as corrected/amended: _____



R.D. Mallams, Mayor

• **Sec. 2.105.010. - Definitions.**

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Animal means any live, vertebrate creature, domestic or wild, other than human.

Cat means all domesticated animals of the feline species, both male and female, unless otherwise specified.

Dangerous animals.

(1)

The term "dangerous animal" means:

a.

Any animal, except one assisting a peace officer in law enforcement duties, which when unprovoked, in a threatening or terrorizing manner approaches any person in apparent attitude of attack upon the streets, sidewalks, or other public grounds or places, or upon any private property not owned by the owner of such *dog*;

b.

Any animal with a known propensity, tendency or disposition to attack unprovoked, to cause injury or to otherwise endanger the safety of human beings or domestic animals;

c.

Any animal which bites, inflicts injury, assaults or otherwise attacks a human being or domestic animal without provocation on public or private property;

d.

Any animal owned or harbored primarily or in part for the purpose of fighting or any animal bred or trained for fighting; or

e.

Any *dog* of the pit bull breed or mix or combination of breeds commonly known as pit bull, and prominently displaying the characteristics and behavior of a pit bull.

(2)

Notwithstanding the definition of a dangerous animal in subsection (1)a.—d. of this definition, no animal may be declared dangerous if:

a.

An injury or damage is sustained by a person who, at the time such injury or damage was sustained, was committing a willful trespass or other tort upon premises occupied by the owner or keeper of the animal, or was teasing, tormenting, abusing or assaulting the animal or was committing or attempting to commit a crime.

b.

An injury or damage was sustained by a domestic animal which at the time such injury or damage was sustained was teasing, tormenting, abusing or assaulting the animal.

c.

The animal was protecting or defending a human being within the immediate vicinity of the animal from an unjustified attack or assault.

• **Sec. 2.105.060. - *Dangerous dogs.***

(a)

It shall be unlawful for any person to own, keep, maintain, allow, harbor, or permit more than one *dangerous dog* upon any one residential lot or within any home upon such lot.

(b)

Dogs that meet the definition of "pit bull breed" set forth in section 2.105.010 of this chapter shall be presumed to be "dangerous dogs" and the owners of such dogs shall be required to comply with the requirements of this section.

(1)

Owners of licensed dogs defined as "pit bull breed" under this chapter shall be provided with written notice by the

animal control unit that such owners must comply with the *dangerous dog* provisions of this section, unless such owners meet the provisions of subsection (2) below;

(2)

Owners of pit bull breed dogs that are currently licensed as of the effective date of Ordinance 4.022 (February 26, 2007) are exempt from the requirements of this chapter relating to dangerous dogs, for the lifetime of each *dog* so licensed.

Owners of pit bull breed dogs that have not been previously licensed shall be allowed a grace period of 90 days from the effective date of this chapter to properly identify and license their dogs as pit bull breeds. Owners that comply within this grace period shall be exempt from the provisions of this section relating to dangerous dogs, including the enhanced restraint and insurance requirements, for the lifetime of each *dog* so licensed, unless such *dog* is in the future determined to meet the conditions of this section to be designated as a "*dangerous dog*."

(c) It shall be unlawful for any person to own, keep, maintain, allow, harbor, or permit any *dangerous dog* within the city, unless such *dog* is kept subject to the following mandatory requirements:

(1)

Owners of dangerous dogs within the corporate limits of the city shall be required to register their dogs with the animal control officer within 30 days of the effective date of the ordinance from which this section is derived, or upon the determination that the animal is a dangerous animal by the animal control officer, or a court of competent jurisdiction.

(2)

No person shall permit a *dangerous dog* to go outside its enclosure or pen unless such animal is secured with a leash no longer than four feet in length. No person shall permit a *dangerous dog* to be kept on a chain, rope or other type of leash outside its enclosure or pen unless an adult who is physically capable of restraining such *dog* is in physical control of the leash and *dog*. It is prohibited for dangerous dogs to be leashed to inanimate objects such as, but not limited to trees, posts, and buildings. In addition, all dangerous dogs on a leash outside the animal's enclosure or

pen must be muzzled by a device sufficient to prevent such *dog* from biting persons or other animals or fowl. The muzzle must be made in a manner that will not cause injury to the *dog* or interfere with its vision or respiration.

(3)

All dangerous dogs shall be securely confined indoors or in a securely enclosed and locked pen, structure or enclosure, except when leashed and muzzled as provided above. Such pen, structure, or enclosure must have secure sides and a secure top attached to the sides. All pens, structures, or enclosures used to confine dangerous dogs must be locked with a key or combination lock, when such dogs are within such pen, structure or enclosure. Such pen, structure, or enclosure must have a secure bottom or floor attached to the sides of the pen, structure or enclosure or the sides of the pen, structure or enclosure must be embedded no less than two feet in the ground. Structures erected to house dangerous animals must comply with all city zoning and building regulations. All such structures must be adequately lighted and ventilated and kept in a clean and sanitary condition. The location and other structural features of such a pen shall also comply with the requirements of the city's outbuilding ordinance.

(4)

No *dangerous dog* may be kept on a porch, patio or in any part of a house or structure that would allow the *dog* to exit such structure on its own volition. In addition, no such *dog* shall be kept in a house or structure when the windows are open or when screen windows or screen doors are the only barrier preventing the animal from exiting the structure.

(5)

All owners of dangerous dogs within the corporate limits of the city shall display in a prominent place on their premises a warning sign easily readable by the public using the words "Beware of Dangerous Dog," and the international symbol for *danger*. In addition, a similar sign is required to be posted on the pen, structure or enclosure containing such animal.

(6)

All owners of dangerous dogs registered with the animal control officer must provide with the annual registration to the city animal control officer a veterinarian's certification that the *dog* has been spayed or neutered, and two color photographs (two different poses) of the *dog* clearly showing the color and approximate size of the animal.

(7)

All owners of dogs involved in an incident as described in section 2.105.010 (1) a. and c., must, within ten calendar days after such incident, report in writing the following information to the animal control officer:

a.

The removal from the city or death of the *dangerous dog* and the address of the location to which such *dog* was moved, which information shall be reported by the animal control officer to the jurisdiction where the *dog* has been relocated;

b.

The birth of offspring of a *dangerous dog*;

c.

The new address of a *dangerous dog* owner should the owner move from one address within the corporate city limits to another address within the corporate city limits.

d.

Any deletion, expiration or change in liability insurance policies maintained as required in this chapter.

(8)

No person shall sell, barter or in any other way dispose of a *dangerous dog* registered with the animal control officer to any person within the city unless the recipient resides permanently in the same household and on the same premises as the registered owner of such animal; provided, however, that the owner of a *dangerous dog* registered with the animal control officer may sell or otherwise dispose of the *dangerous dog* or the offspring of such *dog* to persons who do not reside within the corporate city limits.

(9)

All owners of dangerous dogs within the corporate limits of the city shall provide proof to the animal control officer of public liability insurance in a single incident in the amount of \$300,000.00 for bodily injury to or death of any person or persons or for damage to property owned by any persons which may result from the ownership of such *dog*. Insurance companies issuing such policies shall notify the city upon the cancellation or non-renewal of any such policy.

(10)

Upon initial registration and/or subsequent yearly registration of such animal the owner shall provide proof of such insurance for the present registration period and proof that such insurance was maintained throughout the period of the prior registration period. In the event such required insurance is cancelled, expired, or for any other reason becomes non-enforceable, the owner of the dangerous animal shall be in violation of the provisions of this chapter and subject to the penalties provided in this chapter.

(d)

If the animal control officer or public safety officer shall be notified of a dangerous animal and upon investigation shall find such animal not kept as required by subsection (b) of this section, the animal shall be captured and impounded by the animal control officer or public safety officer, or killed by a public safety officer. Identification of the animal as the subject of the notification shall be made as is practical under the circumstances. Before killing such animal, the public safety officer shall first determine, with advice from the animal control officer as is practical under the circumstances, if capture and impoundment of the animal is reasonable. If capture and impoundment of the animal is reasonable, the animal shall be captured and impounded pending resolution of the matter in municipal court. If capture of the animal is determined to be unreasonable, a public safety officer shall have full authority to kill the animal. However, the animal control officer or public safety officer shall not put himself/herself in any position of *danger* of being attacked. If the animal control officer or public safety officer shall determine the animal to be a dangerous animal and shall find such animal to be fastened to a leash or

tether in a manner in violation of the requirements of subsection a. of this section, the animal shall be captured and impounded pending resolution of the matter in municipal court but the animal shall not be killed. Identification of the animal as a dangerous animal shall include an independent appraisal of the disposition of the animal by the animal control officer or public safety officer as is practical under the circumstances.

(e)

Persons aggrieved, or threatened by a dangerous animal may file a written complaint with the animal control officer requesting an order declaring the animal to be a dangerous animal. If an owner of such accused animal can be reasonably located, the owner shall be notified in writing by certified mail of such complaint and the date of the hearing. If an owner cannot be reasonably located, notice of the complaint and the date of the hearing shall be given by publication once a week for one week in a newspaper of general circulation within the city. Upon receipt of the complaint, the animal control officer shall hold a hearing, 30 days after notice is given, and shall hear evidence as to the disposition of the subject animal. If after the hearing the animal control officer determines that the animal is a dangerous animal, the animal control office shall:

(1)

Issue an order declaring the animal to be dangerous and;

(2)

Issue an order to appropriate city personnel requiring that the animal be captured and impounded if reasonable pending resolution of the matter in municipal court, or killed if capture is unreasonable, if such animal is found not kept as required by subsection (a) of this section, after the date of the order, except that, if the animal is found securely fastened to a leash in a manner in violation of the requirements of subsection (a) of this section, the animal shall be captured or impounded, but not killed; or

(3)

If the animal control officer shall determine that the subject animal should be immediately destroyed, the animal control officer shall order the animal impounded and shall petition

an appropriate court for an order directing the animal control officer to cause the animal to be destroyed; and

(4)

Any animal declared dangerous shall be prevented from reproducing by spaying or neutering of the animal. The owner of such animal shall provide proof of such sterilization of the animal to the animal control officer within 30 days of the notification date of the need for this sterilization.

(f)

Any animal owner aggrieved by an order of the animal control officer or the animal control officer's designee may request a conference with the director of public safety or his or her designee to discuss the appropriateness or terms or conditions of the order. This official shall have the authority, through the exercise of his or her reasonable discretion, to withdraw the order or to modify its terms and conditions, based on information presented by the animal control supervisor and the owner.

(g)

Upon conviction in municipal court for a violation of this section, the court shall fine the owner of a dangerous animal the following:

(1)

First offense, \$300.00 fine. The court may also order destruction of the animal.

(2)

Second offense, \$500.00 fine.

All such fines shall be a minimum fine. In addition to such fines, the municipal judge may sentence the owner to jail for a term not to exceed 90 days.

(h)

Upon second conviction under this chapter, or upon a first conviction where the court finds aggravating circumstances that threatened the wellbeing of a person, in addition to fines or jail sentence, the municipal judge shall order the destruction of the

subject animal. If the owner of the subject animal shall refuse, the municipal judge shall hold the owner in contempt of court.

(i)

Any case filed under this section shall go to the top of the docket in the municipal court and shall have priority over other matters.

(Ord. No. 4.022, § 2, 2-26-2007)

The **CDC** strongly recommends against breed-specific laws in its oft-cited study of fatal dog attacks, noting that data collection related to bites by breed is fraught with potential sources of error (Sacks et al., 2000). Specifically, the authors of this and other studies cite the inherent difficulties in breed identification (especially among mixed-breed dogs) and in calculating a breed's bite rate given the lack of consistent data on breed population and the actual number of bites occurring in a community, especially when the injury is not deemed serious enough to require treatment in an emergency room (Sacks et al., 2000; AVMA, 2001; Collier, 2006). Supporting the concern regarding identification, a recent study noted a significant discrepancy between visual determination of breed and DNA determination of breed (Voith et al., 2009).

ASPCA Position

Although multiple communities have been studied where breed-specific legislation has been enacted, no convincing data indicates this strategy has succeeded anywhere to date. Conversely, studies can be referenced that evidence clear, positive effects of carefully crafted, breed-neutral laws. It is, therefore, the ASPCA's position to oppose any state or local law to regulate or ban dogs based on breed.

10 Breeds Most Commonly Mistaken for Pit Bulls

Updated on December 22, 2016



American Pit Bull Terrier

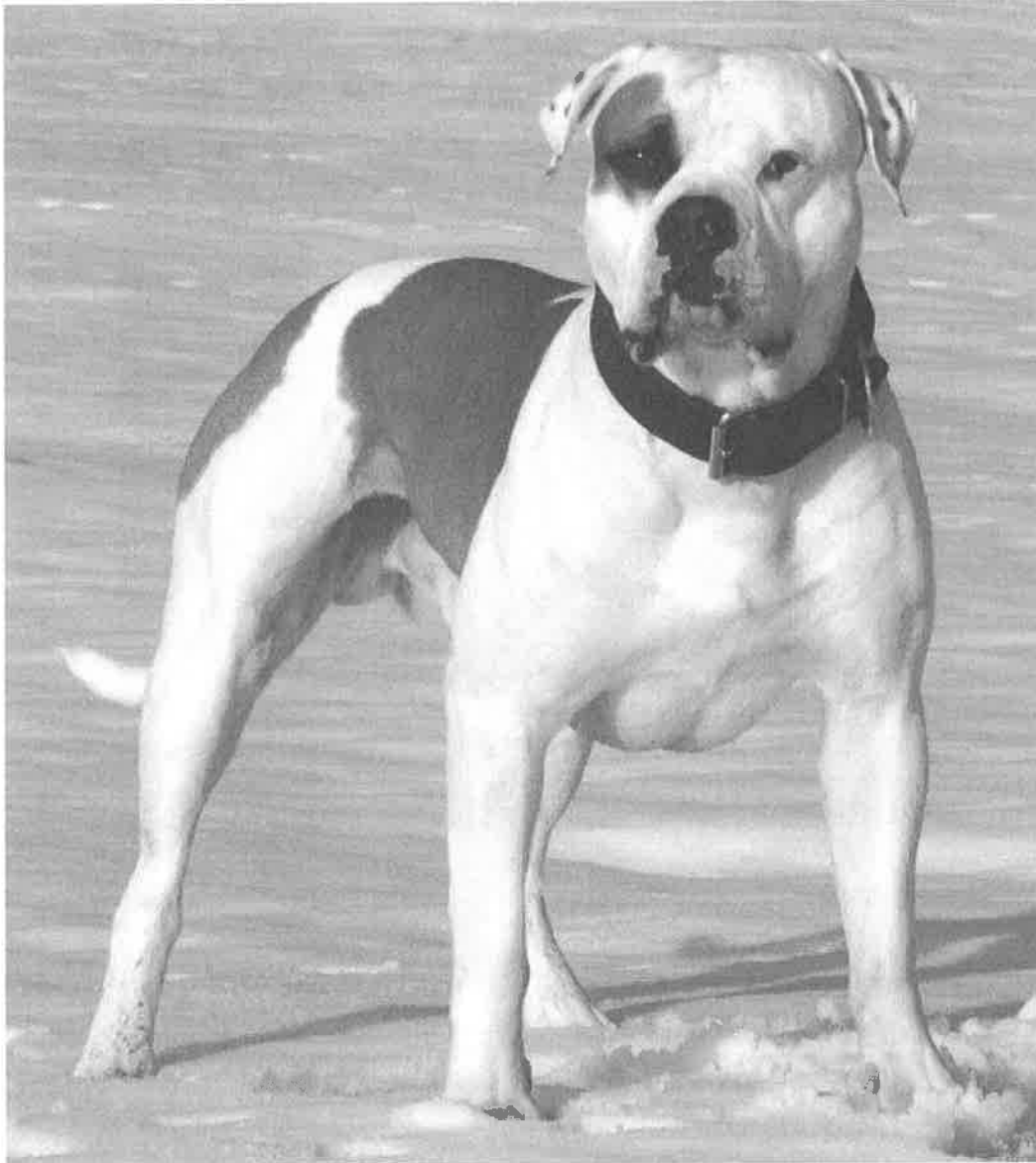
There is so much confusion these days about the pit bulls. Are they a breed or are they a "type" of dog? Even owners can't agree.

The truth is that American pit bull terriers are in fact a distinct breed; they are part of a group of working breeds that descended from the Molosser dog. Because of this, they look similar to many other breeds. Also, the term "pit bull" is often used to refer to many breeds of terriers: American pit bull, the bull, the American Staffordshire, and the Staffordshire bull

terriers. This leads to a lot of misunderstanding, and sadly it has even led to people losing their beloved pets due to misidentification and breed-specific legislation which targets “types” of dogs.

So is it a pit bull or isn't it? Thanks to the media, crossbreeding practices, and well-meaning but incorrect information, it is very hard to be sure. The true American pit bull terrier is people-friendly to a fault and weighs no more than 60 pounds at the absolute largest. We will clear up some of the confusion by identifying the top 10 breeds that are mistaken for pit bulls.

Astute readers may notice the American Staffordshire terrier is absent from this list. Since many people consider American Staffordshire and American pit bull terriers to be essentially the same, and since dogs can register as being both breeds at once (like claiming citizenship to two countries), I've left them off.



10. The American Bulldog

Generally white or predominantly white with patches of color, these big friendly brutes can weigh in at over 100 pounds. A working dog (as all bulldogs are), the American Bulldog is a wonderful family pet equally at home working on a farm or relaxing in an apartment—provided he gets enough exercise and is properly socialized.

The American bulldog is an accomplished hunting and sport dog and a favorite in the show ring. He comes in two types: standard and bully, with the bully type being stockier with a shorter muzzle.

The American pit bull terrier, while sharing many of the same wonderful traits, is much smaller than either type of American Bulldog and differs very much physically.



9. The Presa Canario

The Presa Canario is a very large mastiff-type dog. He can reach 150 pounds and he is very powerful. He is a working dog, used for herding cattle and guarding. His temperament can be aggressive; he is only a good choice for a very experienced owner who can handle his size and attitude. This is a big dog that knows he's big. Aggression toward humans and other animals can be problematic if he is not socialized properly.

The pit bull, in contrast, is much smaller and has a much friendlier, more family-oriented temperament. The Presa Canario is a natural guard dog, with innate suspicion toward humans and the "alpha" type of assertiveness we see with guarding breeds, but the pit bull possesses neither of these traits; they are not guard dogs. The huge aggressive "pit bulls" we see walking around are often crossbred with the Presa.



8. The Cane Corso

The Cane Corso (pronounced kah-nay kor-so) is another very large breed. Also known as the Italian mastiff, the Cane Corso weighs from 70 to 100 pounds. His history is as a guard dog and a working dog, as most Molosser breeds are. The Cane Corso is not a fighter and is not generally known to be aggressive toward other dogs but is a guard dog by nature and is not recommended for any but the most experienced handlers because of his great size. He is protective and bonds tightly with family members, often with one family member in particular, and he may become overprotective if he is not socialized very early and often.

The pit bull is far less aloof with strangers and is typically very social in comparison to the Cane Corso. The pit bull is also much smaller, with very different physical features.



7. The Bull Terrier

Easily remembered as the Spuds McKenzie dog from the Bud Light commercials, the bull terrier is often mistaken for the American pit bull. Stubborn, tenacious, and a true terrier at heart, the bull terrier is smaller in size than our previous entries but don't let that fool you. He is stocky and muscular, with erect ears and a pleasant demeanor. As a terrier, he has a highly-developed prey drive and has been known to kill smaller animals if they challenge or harass him too much. He is the perfect blending of the bulldog-terrier lineage: strong, tenacious, and stubborn, and because of this, he is not recommended for novice handlers.

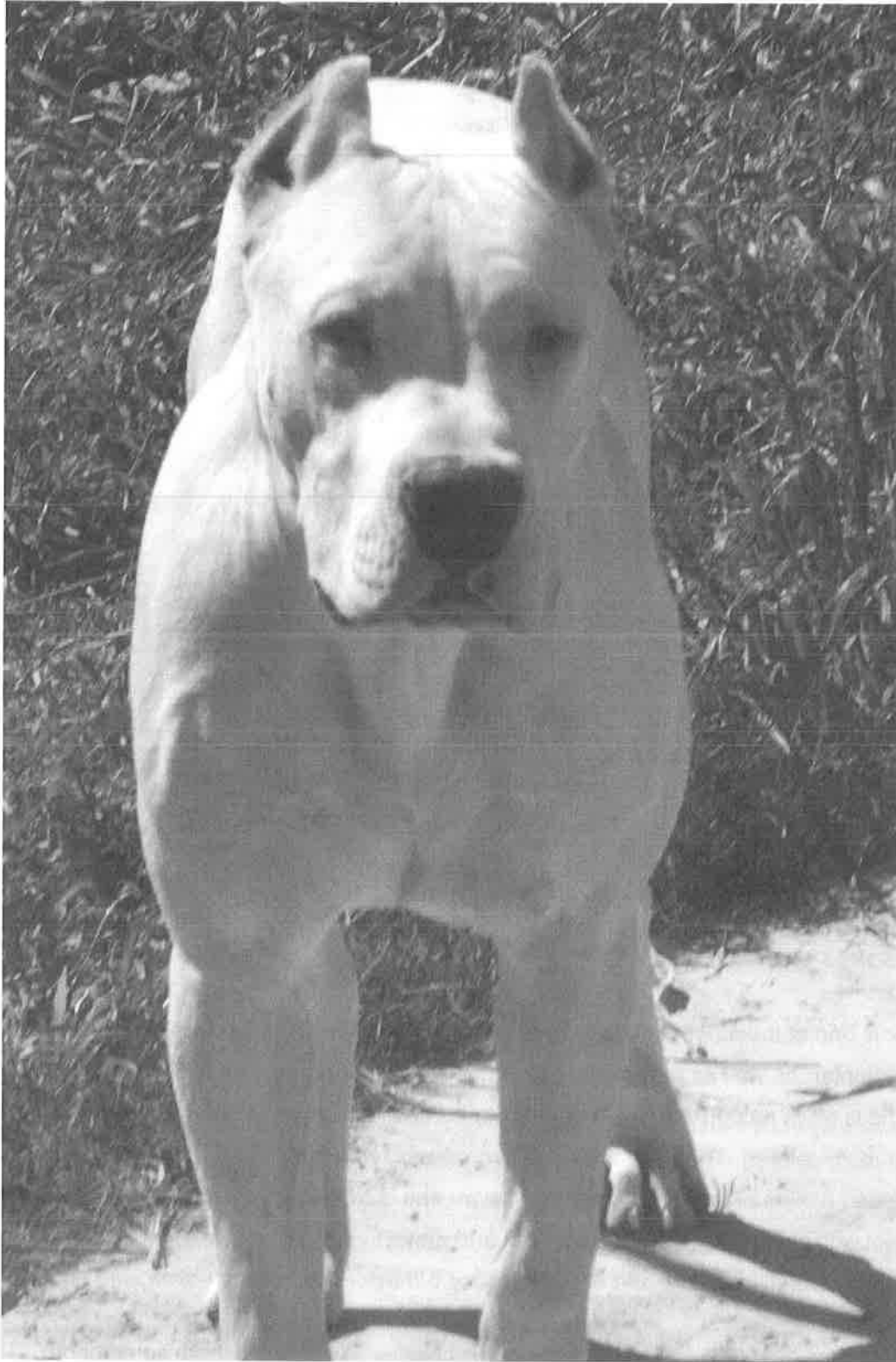
The bull terrier has a very distinct appearance, with an "egg-shaped" skull and triangular eyes, both of which are exclusive to the breed. He is very easily distinguished from the American pit bull because of these unique features.



6. The Boxer

The boxer is one of the most popular breeds of dog in the United States. She is a working dog and a hunter, as well as an excellent guard dog. Tall and proud, she can weigh up to 80 pounds and is often recognized by her fawn-colored coat. However, she can be white, brindle, or multi-colored. This probably adds to confusion with the pit bull, as many people have not seen boxers of any color other than fawn. The boxer is intelligent and high-energy. She is great with children but can be stubborn and protective. She's prone to mischief such as excessive barking, chewing, and other nuisance behaviors if she is not exercised enough.

The boxer and pit bull have some temperament similarities, as they can both be stubborn, high energy, and excellent with children, but the pit bull is smaller and does not possess the boxer's distinctive shape.



5. The Dogo Argentino

A super-athlete bred for hunting wild boar, killing mountain lions, and protecting her human to the death, the Dogo is a fierce hunter and a brave guardian, excellent for use in military and police applications. She is very large, heavily-muscled, and white in color, weighing close to 100 pounds. A fairly new breed that originated in Argentina and still largely resides there, these dogs are relatively rare in this country but they are growing in popularity due to their stamina, loyalty, and exceptionally beautiful appearance. They are a great choice for people looking for a very active breed they can hike, camp, climb, and work outdoors with.

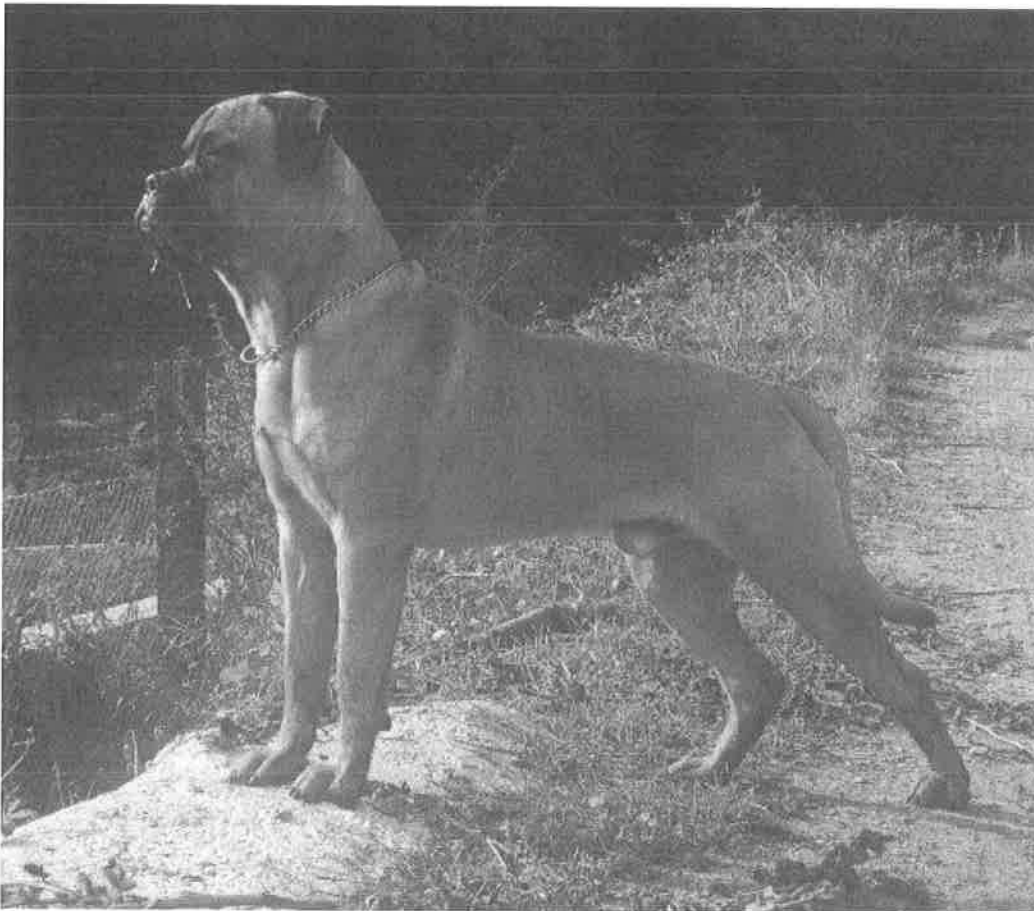
They have been described as similar to the pit bull terrier, even though the pit bull is much smaller than the Dogo. This adds to the confusion surrounding the pit bull "type" and has led to the Dogo Argentino often being misidentified.



4. The Staffordshire Bull Terrier

Besides the bull terrier, the Staffordshire bull terrier (or "Staffy") is probably the most similar to the American pit bull of all the breeds listed here, although he is still distinguishable from the pit bull with his trademark "Staffy smile" and a blocky, squared head. The Staffy is an affectionate dog, very friendly and wonderful with children. He loves to love and is an excellent family pet. He loves people and adapts to strangers very well. Like pit bulls, the Staffy possesses lower-than-average aggression toward humans.

Staffies are mistaken for pit bulls frequently, with many people believing the two breeds are the same. This is because up to a certain point in history, the American pit bull terrier, the Staffordshire bull terrier, and the American Staffordshire terrier were all the same breed of dog. They no longer are, however; they are now three very distinct and separate breeds.



3. The Bullmastiff

A very large dog, the bullmastiff is an excellent guardian and watchdog. He is a breed that needs no training in protection; he will react on instinct to any threat which presents itself. He is powerful and formidable, making him a great choice for activities such as pulling carts, which he greatly enjoys. He is smart and independent, making him a great agility competitor and a wonderful tracker in the field. He requires a somewhat special method of training because of his intelligence (he dislikes repetitive tasks) and requires a firm hand due to his size.

The bullmastiff is often confused for other breeds, including the pit bull. For instance, despite what many people think, the dog from the movie *Turner & Hooch* was not a bullmastiff—he was a Dogue de Bordeaux. The pit bull is much smaller than the bullmastiff, possessing a very different temperament and physical characteristics.



2. The Olde English Bulldogge

A fairly new breed, the olde English bulldogge is a throwback. This breed was an attempt to re-create the old bulldog of the 1800s, which was very different from modern bulldogs. This breed was created in the 1970s with foundation dogs that were English bulldog and bullmastiff, American pit bull terrier, and American bulldog (breeds that all have the old bulldog in their lineage). The olde English bulldogge is tenacious, agile, eager to work, and far less aggressive than the bull-baiter from the 1800s. He is muscular and strong, a true bulldog in every sense. This is a respected breed that thrives in pulling competitions, therapy work, and obedience competitions.

The olde English bulldogge, while similar to the pit bull and sharing a lineage, is a very distinct and different breed that is generally thicker, with a larger head and a shorter, trademark bulldog muzzle.



1. The Alapaha Blue Blood Bulldog

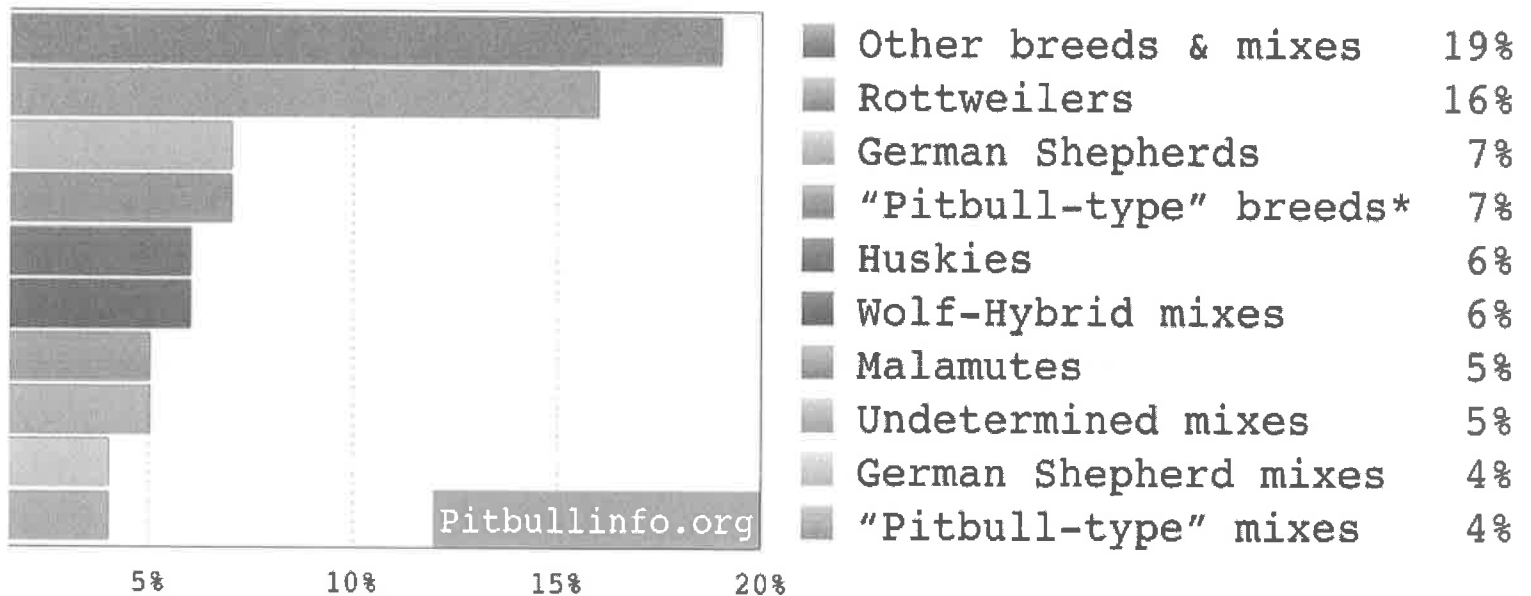
You may have never heard of this breed, but it is an old breed, surviving since the 1800s in isolated places in the South until 1979 when it was resurrected with a passion. The American pit bull we know and love today was created in part from this breed, as were a few others like the Black Mouth Cur and the Catahoula leopard dog. The Alapaha blue blood bulldog is a loyal, loving family member, as bulldogs are. She loves children and is a wonderful guardian and companion. She's beautiful, spirited, tenacious, and eager, possessing the bulldog personality in spades. She can be aggressive if encouraged and because of this, she makes a wonderful protection dog but must be socialized well to prevent too much aggression.

This is in contrast to the American pit bull who, without training, generally won't become naturally aggressive toward people.

Pitbullinfo.org is published by a non-profit group dedicated to dog bite prevention, education, and the responsible ownership of dogs of all breeds. **The dog bite-related information and statistics published on Pitbullinfo.org are sourced from long-term, scientific peer-reviewed research studies** published by credible organizations such as the American Veterinary Medical Association (AVMA). These studies are the **only long-term peer-reviewed studies available** with breed-based data for dog bite-related risk information.

Dog Bite-Related Statistics

Dog Bite-Related Fatalities



***If anyone says one dog (breed) is more likely to kill
... that's not based on scientific data***
— Dr. Julie Gilchrist, Centers for Disease Control and
Prevention

Pitbull-Type Population & Breeds

30% of Dogs in U.S.

There are almost **90 million** dogs in the U.S. and up to **30%** of these are pitbull-type dogs and their mixes based on the average percentage of dogs classified as "pitbull-type" represented in shelter populations (based on physical appearance and visual identification). Therefore, we estimate that the population of pitbull-type dogs and their mixes in the U.S. is approximately **27 million**, or 30% of the total U.S. dog population. Shelter populations are a more accurate representation of overall dog populations compared to AKC/UKC registrations (which are commonly used to estimate dog populations) because: **less than 1% of all dogs are registered** and registrations are typically for purebred dogs but the vast majority of dogs in the U.S. are mixed breed dogs; conversely, shelter population data includes purebred dogs, mixed breed dogs, and represents comprehensive dog population counts from all across the country regardless of registrations or any breed-based legislation.

An easy way to identify bias and misinformation about pitbull-type breeds is any website or organization that publishes aggressive pictures of pitbull-type dogs. Aggressive pictures can be found for **any breed**, but these biased and cherry-picked pictures never represent the breed as a whole. **The pictures below of pitbull-type dogs are representative of the various pitbull-type breeds as a whole:**

4 Breeds + Mixed Breeds

There are 4 widely recognized "pitbull-type" breeds by AKC/UKC breed standards (all members of the **Terrier Group** of dog breeds): the American Pit Bull Terrier, American Staffordshire Terrier, American Bully, and the Staffordshire Bull Terrier. **The term "pitbull" or "pit bull" is not a breed** but instead, it is a term used to describe a "type" of dog **based only on its physical appearance** (not on genetics or lineage) just like a German Shepherd is one breed of many unique "shepherds" or **"shepherd-type"** breeds; consequently, **the common emphasis on physical appearance for breed identification is one of the reasons why the estimated population of "pitbull-type" dogs is so high** (up to 30% of the dog population in the U.S.). The American Pit Bull Terrier (APBT) is the original "pitbull" breed in the "pitbull-type" category; however, the other breeds listed are individual, unique breeds that are considered "pitbull-type" breeds. Pitbull-type mixed breeds are yet another breed category for pitbull-type dogs.

Top 3 Myths about Pitbulls

Myth #1 **The Pitbull** **"Statistics"**

Pitbulls are "inherently more dangerous" than other breeds and are responsible for the majority of dog bite-related fatalities.

The Facts:

A recent (2013) peer-reviewed study that analyzed 10-years of dog bite incidents concludes that factors associated with irresponsible ownership are the primary cause of dog bite-related fatalities and that breed is not a factor (therefore, pitbull-type breeds are not inherently more dangerous than other breeds). This study also concluded that media reports on bite-related incidents are prone to significant breed identification error rates of over 40%.

A recent (2017) peer-reviewed study that analyzed 140 dog bite incidents concludes that there is no difference (in the medical treatment required following a bite or in the type of bite inflicted) between dog bites by breeds perceived as "dangerous" (legislated breeds such as "pitbull-type" breeds) and breeds that not perceived as "dangerous" (non-legislated breeds).

Data sourced from a peer-reviewed study that analyzed 20-years of dog bite-related incidents reveals that the statistics for the individual "pitbull-type" breeds are in-line with other breeds.

Myth #2 **Pitbulls** **were** **"Bred to** **Fight"**

Pitbulls are more dangerous than other breeds because they were "bred to fight".

The Facts:

Pitbull-type breeds are a crossbreed between a bulldog and a terrier originally bred in England in the early 19th century (then called a "Bull and Terrier") to be working and herding dogs on farms to herd, protect, and help manage livestock. [Source: National Geographic Infographic]

Today, they are commonly called by the shorter name "Pitbull" or "Pit Bull" which is now a dog "type" consisting of at least 4 individual, unique breeds recognized by AKC and UKC breed standards.

The fact is that regardless of the immoral purpose, "sport", or abuse that some unfortunate dogs have been used for or subjected to, pitbull-type breeds continue to achieve above-average temperament scores, scoring in the top 21% of all breeds, one of the many reasons why pitbull-type breeds are so popular.

Myth #3
Bite
Strength
and
"Locking
Jaw"

Pitbulls
have the
most
powerful
bite and
have a
"locking
jaw".

The Facts:

The average bite strength of a pitbull-type dog has been measured to be 26% lower (235 lbs/inch) than the average bite strength of all dogs (320 lbs/inch). [Source: [National Geographic Infographic](#)]

There is no such thing as a "locking jaw", the jaw of pitbull-type breeds is anatomically the same as all other breeds. [Source: [National Geographic Infographic](#)]

All of the pitbull-type breeds are classified as medium-size and medium-strength and there are a number of other breeds that are much larger and stronger than any of the pitbull-type breeds, such as the [Dogo-Argentino](#), [Bullmastiff](#), and [German Shepherd](#) breeds

99.99997% Not Guilty

27,000,000 Accepted

There are almost 90 million dogs in the U.S. and up to 30% of these are pitbull-type dogs and their mixes based on the average percentage of dogs classified as "pitbull-type" (based on physical appearance) represented in shelter populations*. Therefore, we estimate that the population of pitbull-type dogs and their mixes in the U.S. is approximately 27 million (30% of 90 million). **Virtually all reputable canine organizations, and other organizations, have firmly rejected pitbull-type breed discrimination including:**

American
Bar Association (ABA)
American Veterinary Medical
Association (AVMA)
American Kennel Club (AKC)
United Kennel Club (UKC)
Humane Society of the U.S.
(HSUS)
American Society for the

99.99997% Not Guilty

Unfortunately, there are an average of 28 dog bite-related fatalities (DBRFs) in the U.S. every year by dogs of all breeds. Of these, an average of ~7.8 are from all 4 pitbull-type breeds combined**, representing .00003% of the estimated total pitbull-type dog population of 27,000,000. Therefore, on average every year, **99.99997% of pitbull-type dogs are not guilty of any DBRFs.**

Many of the websites, organizations, and studies that hide these facts are promoting a special-interest agenda that usually includes discriminatory Breed Specific Legislation (BSL). Learn more about BSL, and why Breed Neutral Legislation (BNL) is the more effective and widely preferred standard, on the [Breed Legislation Page](#).

Sources

*[National Geographic Infographic](#): Pitbull-type dogs represent ~30% of dogs in shelters. **Shelter populations are a more accurate representation of overall dog populations compared to AKC/UKC registrations since less than 1% of**

Prevention of Cruelty to Animals
(ASPCA)

Animal Welfare Association
(AWA)

National Canine Research
Council (NCRC)

Centers for Disease Control
(CDC)

U.S. Department of Justice (for
service dogs)

all dogs are registered.

****CDC-AVMA Study:** 28% of DBRFs attributed
to all 4 purebred "pitbull-type" breeds combined =
average of ~7.8 per year (28% of 28 total yearly
DBRFs).

*In contrast to what has been reported in the news media, the data ... CANNOT be used
to infer any breed-specific risk for dog bite fatalities*
— American Veterinary Medical Association

General information about the American Temperament Test Society, Inc. (ATTS)

The American Temperament Test Society, Inc. (ATTS) is a national not-for-profit organization (registered in the state of Missouri) for the promotion of uniform temperament evaluation of purebred and spayed/neutered mixed-breed dogs.

ATTS was established to:

- Provide for a uniform national program of temperament testing of purebred and spayed/neutered mixed-breed dogs.
- Conduct seminars to disseminate information to dog owners, dog breeders and evaluators (testers) concerning dog psychology, motivation, reaction and other aspects of temperament testing.
- Recognize and award certificates to dogs that pass the requirements of the temperament evaluation.
- Work for the betterment of all breeds of dogs.
- Select, train, prepare and register temperament evaluators.

Our motto says all:

“A SOUND MIND IN A SOUND BODY”

ATTS is the only non-profit organization that gives the TT (Temperament Tested) title for a dog. The TT, our logo and test procedures are copyrighted (registration no. TXu000563600 / 1993-04-19). The test is for all breeds and it is uniform throughout the country.

ATTS was founded by Alfons Ertel in 1977. The first test was held in September 1977; ATTS has held 1,272 tests as of the end of 2012. The number of dogs tested as of April 2016 is 33,925 with 28,295 dogs earning a TT title. The average overall pass rate is 83.4 percent; the pass rate may vary for different breeds. The breed's temperament, training, health and age of the dog is taken into account. Minimum age for dogs to take the test is 18 months.

The test takes about 12 minutes to complete. The dog is on a loose six-foot (6') lead and three ATTS trained evaluators score the dog. Majority rules. Failure on any part of the test is recognized when a dog shows panic, strong avoidance without recovery or unprovoked aggression.

National breed clubs can request the list of their breed which earned the TT for the previous year by sending a request accompanied by a self addressed stamped envelope. A request for a complete list of all dogs of any one breed which have earned a TT is available, but breeds which have more than five pages of dogs will need to cover the cost of copying and postage.

About Canine Temperament

Because of breed-specific dog legislation and negative publicity associated with many breeds of dogs, temperament testing has assumed an important role for today's dog fancier. The ATTS Temperament Test provides breeders a means for evaluating temperament and gives pet owners insight into their dog's behavior. It can have an impact on breeding programs and in educating owners about their dog's behavioral strengths and weaknesses as well as providing a positive influence on dog legislation.

What is temperament?

W. Handel, German Police Dog Trainer, in his article, "The Psychological Basis of Temperament Testing," defines temperament as:

"the sum total of all inborn and acquired physical and mental traits and talents which determines, forms and regulates behavior in the environment"

The ATTS test focuses on and measures different aspects of temperament such as stability, shyness, aggressiveness, and friendliness as well as the dog's instinct for protectiveness towards its handler and/or self-preservation in the face of a threat. The test is designed for the betterment

of all breeds of dogs and takes into consideration each breed's inherent tendencies.

The test simulates a casual walk through the park or neighborhood where everyday life situations are encountered. During this walk, the dog experiences visual, auditory and tactile stimuli. Neutral, friendly and threatening situations are encountered, calling into play the dog's ability to distinguish between non-threatening situations and those calling for watchful and protective reactions.

Description of the Temperament Test

The ATTS Temperament Test focuses on and measures different aspects of temperament such as stability, shyness, aggressiveness, and friendliness as well as the dog's instinct for protectiveness towards its handler and/or self-preservation in the face of a threat.

The test simulates a casual walk through a park or neighborhood where everyday life situations are encountered. During this walk, the dog experiences visual, auditory and tactile stimuli. Neutral, friendly and threatening situations are encountered, calling into play the dog's ability to distinguish between non-threatening situations and those calling for watchful and protective reactions.

Watch a video of the ATTS Temperament Test

Dogs must be at least 18 months old to enter this test. The test takes about eight to 12 minutes to complete. The dog is on a loose six-foot (6') lead. The handler is not allowed to talk to the dog, give commands, or give corrections.

Failure on any part of the test is recognized when a dog shows:

- Unprovoked aggression
- Panic without recovery
- Strong avoidance

The ATTS Temperament Test consists of ten subtests divided into five subcategories:

Behavior Toward Strangers

Objective: To measure the dog's reaction to strangers in a non-threatening situation.

Subtest 1: Neutral stranger

A stranger to the dog approaches the handler, shakes hands with the handler and engages the handler in a brief conversation, ignoring the dog. The purpose of this subtest is to evaluate the dog's reaction to passive socialization and the dog's protective instinct.

Subtest 2: Friendly stranger

A stranger to the dog approaches happily and briskly, is very friendly to the dog and pets the dog. The purpose of this subtest is to evaluate the dog's active social skills.

Reaction to Auditory Stimuli

Objective: To measure the dog's reaction to auditory stimuli and the dog's investigative behavior.

Subtest 3: Hidden Noise

The handler/dog team approaches a hidden assistant who rattles a metal bucket filled with rocks and sets this bucket in the path of the team. The handler may encourage the dog to investigate the bucket only when asked to do so. The handler's focus must be on the bucket, not on the dog. The purpose of this subtest is to test alertness and curiosity.

Subtest 4: Gunshots

The handler stops at a designated marker with his/her back towards a well hidden assistant. The assistant fires three shots using a .22 caliber starter pistol (SHOT-PAUSE-SHOT-SHOT). The purpose of this subtest is to measure the dog's recovery response to a sudden noise.

Reaction to Visual Stimulus

Objective: To measure the dog's reaction to a sudden visual stimulus.

Subtest 5: Umbrella

The handler/dog team approaches an assistant sitting in a chair holding a closed umbrella parallel to the ground at a 90 degree angle to the approaching team. When the dog is five feet from the assistant, the umbrella is opened. The handler may encourage the dog to investigate the umbrella only when asked to do so. The handler's focus must be on the umbrella, not on the dog.

Tactile Stimuli

Objective: To measure the dog's reaction to unusual footing.

Subtest 6: Plastic Footing

Both the handler and the dog walk the entire length of a 15-foot by 6-foot clear plastic strip.

Subtest 7: Wire Footing

Only the dog will walk the entire length of a 12-foot by 3-foot unfolded exercise pen.

The purpose of these subtests is to measure the dog's sensitivity to unusual footing, its ability to recover from the fear of unusual footing and to measure its investigative behavior to the unusual footing.

Self Protective/Aggressive Behavior

Objective: These tests collectively evaluate the dog's capacity to recognize an unusual situation, its threshold to provocation, its protective instincts, and its propensity to realize when the situation becomes a threat.

Subtest 8: Non-Threatening

The handler/dog team stops at the designated marker. A weirdly-dressed stranger crosses the path 38 feet in front of the team.

The purpose of this subtest is to test the dog's alertness to an unusual situation.

Subtest 9: Threatening

The weird stranger advances 10 feet towards the stationary handler in a threatening manner.

The purpose of this subtest is to evaluate the dog's ability to recognize when an unusual situation turns into a provocation.

Subtest 10: Aggression

The weird stranger advances to within 18 feet of the stationary handler in an aggressive manner.

The purpose of this subtest is to evaluate the dog's protective instincts.

The stranger is never closer than 10 feet from the dog. The handler's 2 foot arm and the 6' lead is added in for a total of 18 feet. Aggression here is checked against the breed standard and the dog's training. A schutzhund trained dog lunging at the stranger is allowed, but if an untrained Siberian husky does the same, it may fail.

At the conclusion of the test, the handler will receive a critique about the dog's performance. Certificate will be mailed within 90 days of the test.

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ATTS Breed Statistics

as of April 2016

Page 1: Afghan Hound – Belgian Malinois

<i>Breed Name</i>	<i>Tested</i>	<i>Passed</i>	<i>Failed</i>	<i>Percent</i>
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AFGHAN HOUND	165	120	45	72.7%
AIREDALE TERRIER	108	84	24	77.8%
AKBASH DOG	16	14	2	87.5%
AKITA	568	439	129	77.3%
ALAPAHA BLUE BLOOD BULLDOG	12	9	3	75.0%
ALASKAN KLEE KAI	2	1	1	50.0%
ALASKAN MALAMUTE	243	207	36	85.2%
AMERICAN BANDOGE	1	1	0	100.0%
AMERICAN BULLDOG	211	183	28	86.7%
AMERICAN ESKIMO	86	71	15	82.6%
AMERICAN FOXHOUND	2	2	0	100.0%
AMERICAN HAIRLESS TERRIER	5	4	1	80.0%
AMERICAN PIT BULL TERRIER	913	798	115	87.4%
AMERICAN STAFFORDSHIRE TERRIER	716	610	106	85.2%
AMERICAN TUNNEL TERRIER	3	2	1	66.7%

AMERICAN WATER SPANIEL	7	6	1	85.7%
ANATOLIAN SHEPHERD DOG	34	28	6	82.4%
AUSTRALIAN CATTLE DOG	199	158	41	79.4%
AUSTRALIAN KELPIE	6	5	1	83.3%
AUSTRALIAN SHEPHERD	693	570	123	82.3%
AUSTRALIAN TERRIER	17	14	3	82.4%
AZAWAKH	1	1	0	100.0%
BARBET (FR. WATERDOG)	1	1	0	100.0%
BASENJI	176	121	55	68.8%
BASSET HOUND	37	32	5	86.5%
BEAGLE	77	61	16	79.2%
BEARDED COLLIE	50	29	21	58.0%
BEAUCERON	45	41	4	91.1%
BEDLINGTON TERRIER	21	19	2	90.5%
BELGIAN LAKENOIS	7	7	0	100.0%

BELGIAN MALINOIS	410	384	26	93.7%
BELGIAN SHEEPDOG	505	408	97	80.8%
BELGIAN TERVUREN	508	412	96	81.1%
BERGER PICARD	21	20	1	95.2%
BERNESE MOUNTAIN DOG	189	163	26	86.2%
BICHON FRISE	30	23	7	76.7%
BLACK RUSSIAN TERRIER	142	134	8	94.4%
BLOODHOUND	40	30	10	75.0%
BLUE MOUNTAIN SHEPHERD	1	1	0	100.0%
BOERBOEL	42	40	2	95.2%
BOLOGNESE	1	1	0	100.0%
BORDER COLLIE	305	251	55	82.3%
BORDER TERRIER	134	122	12	91.0%
BORZOI	108	97	11	89.8%
BOSTON TERRIER	75	64	11	85.3%

BOUVIER DES FLANDRES	917	782	135	85.3%
BOXER	466	391	76	83.9%
BOYKIN SPANIEL	2	2	0	100.0%
BRIARD	381	311	70	81.6%
BRITTANY SPANIEL	121	110	11	90.9%
BRUSSELS GRIFFON	12	11	1	91.7%
BULL TERRIER	81	75	7	92.6%
BULL TERRIER, MINIATURE	13	13	0	100.0%
BULLDOG	141	101	40	71.6%
BULLMASTIFF	148	120	28	81.1%
CAIRN TERRIER	51	38	13	74.5%
CANAAN DOG	8	5	3	62.5%
CANE CORSO	192	166	27	86.5%
CAO DE FILA DE SAO MIGUEL	3	2	1	66.7%
CARDIGAN WELSH CORGI	77	62	15	80.5%

CAROLINA DOG	3	2	1	66.7%
CATAHOULA LEOPARD DOG (LOUISIANA)	14	11	3	78.6%
CAUCASIAN OVCHARKA	17	14	3	82.4%
CAVALIER KING CHARLES SPANIEL	60	51	9	85.0%
CENTRAL ASIAN SHEPHERD	24	22	2	91.7%
CHART POLSKI	1	1	0	100.0%
CHESAPEAKE BAY RETRIEVER	121	136	15	87.6%
CHIHUAHUA	46	32	14	69.6%
CHINESE CRESTED	34	26	8	76.5%
CHINESE SHAR-PEI	214	152	62	71.0%
CHINOOK	9	7	2	77.8%
CHOW CHOW	99	71	28	71.7%
CLUMBER SPANIEL	13	11	2	84.6%
COCKER SPANIEL	233	190	42	81.5%
COLLIE	888	716	172	80.6%

COONHOUND, BLACK AND TAN	15	15	0	100.0%
COONHOUND, BLUETICK	2	2	0	100.0%
COONHOUND, REDBONE	5	5	0	100.0%
COONHOUND, TREEING WALKER	8	5	3	62.5%
CURLY-COATED RETRIEVER	178	163	15	91.6%
CZECHOSLOVAKIAN VLCEK	1	1	0	100.0%
DACHSHUND (MINIATURE LONGHAIRD)	33	30	3	90.9%
DACHSHUND (MINIATURE SMOOTH)	41	32	9	78.0%
DACHSHUND (MINIATURE WIREHAIRD)	24	20	4	83.3%
DACHSHUND (STANDARD LONGHAIR)	35	26	9	74.3%
DACHSHUND (STANDARD SMOOTH)	48	33	15	68.8%
DACHSHUND (STANDARD WIREHAIRD)	31	26	5	83.9%
DALMATIAN	358	291	59	81.3%

DANDIE DINMONT TERRIER	7	5	2	71.4%
DOBERMAN PINSCHER	1,733	1,371	359	79.1%
DOGO ARGENTINO	18	16	2	88.9%
DOGO CANARIO	3	3	0	100.0%
DOGUE DE BORDEAUX	97	75	22	77.3%
DUTCH SHEPHERD	24	22	1	91.7%
ENGLISH BULLDOG	3	3	0	100.0%
ENGLISH BULL TERRIER	4	4	0	100.0%
ENGLISH COCKER SPANIEL	75	70	5	93.3%
ENGLISH FOXHOUND	3	2	1	66.7%
ENGLISH JACK RUSSELL TERRIER	4	4	0	100.0%
ENGLISH MASTIFF	8	8	0	100.0%
ENGLISH PITBULL	1	0	1	0.0%
ENGLISH POINTER	1	1	0	100.0%
ENGLISH SETTER	31	25	6	80.6%

ENGLISH SHEPHERD	26	25	1	96.2%
ENGLISH SPRINGER SPANIEL	159	135	24	84.9%
ENTELBUCHER MOUNTAIN DOG	1	0	1	0.0%
ESTRELA MOUNTAIN DOG	1	1	0	100.0%
FIELD SPANIEL	14	12	2	85.7%
FILA BRASILEIRO	14	11	3	78.6%
FINNISH LAPPHUND	8	5	3	62.5%
FINNISH SPITZ	11	8	3	72.7%
FLAT-COATED RETRIEVER	88	80	7	90.9%
FOX TERRIER, SMOOTH	56	43	13	76.8%
FOX TERRIER, WIRE	19	16	3	84.2%
FRENCH BULLDOG	46	44	2	95.7%
GERMAN PINSCHER	34	31	3	91.2%
GERMAN SHEPHERD DOG	3,318	2,827	494	85.2%
GERMAN SHORTHAIRED POINTER	134	104	30	77.6%

GERMAN WIREHAIRD POINTER	18	14	4	77.8%
GIANT SCHNAUZER	263	203	60	77.2%
GLEN OF IMAAL TERRIER	3	2	1	66.7%
GOLDEN RETRIEVER	804	687	117	85.4%
GORDON SETTER	67	56	11	83.6%
GRAND BASSET GRIFFON VENDEEN	2	2	0	100.0%
GREAT DANE	303	245	58	80.9%
GREAT PYRENEES	152	129	23	84.9%
GREATER SWISS MOUNTAIN DOG	256	211	45	82.4%
GREYHOUND	69	55	14	79.7%
HAVANESE	11	9	2	81.8%
HOVAWART	21	20	1	95.2%
IBIZAN HOUND	33	30	3	90.9%
ICELANDIC SHEEPDOG	10	10	0	100.0%

IRISH GLEN OF IMAAL TERRIER	3	2	1	66.7%
IRISH RED AND WHITE SETTER	2	2	0	100.0%
IRISH SETTER	152	138	14	90.8%
IRISH TERRIER	10	8	2	80.0%
IRISH WATER SPANIEL	30	27	3	90.0%
IRISH WOLFHOUND	100	90	10	90.0%
ITALIAN GREYHOUND	52	42	10	80.8%
JACK RUSSELL TERRIER	68	58	10	85.3%
JAHUAHUA	1	1	0	100.0%
JAPANESE CHIN	5	5	0	100.0%
KAI KEN	1	1	0	100.0%
KARELIAN BEAR DOG	3	3	0	100.0%
KEESHOND	84	68	16	81.0%
KERRY BLUE TERRIER	49	36	13	73.5%
KING SHEPHERD	1	1	0	100.0%

KOMONDOR	10	9	1	90.0%
KOREAN JINDO	2	2	0	100.0%
KUVASZ	51	40	11	78.4%
LABRADOR RETRIEVER	826	761	66	92.1%
LAGOTTO ROMAGNOLO	4	3	1	75.0%
LAKELAND TERRIER	8	6	2	75.0%
LEONBERGER	23	22	1	95.7%
LHASA APSO	27	19	8	70.4%
LOWCHEN	12	9	3	75.0%
LURCHER	5	5	0	100.0%
MAGYAR AGAR	1	1	0	100.0%
MALTESE	16	13	3	81.3%
MANCHESTER TERRIER (STANDARD)	60	52	8	86.7%
MANCHESTER TERRIER (TOY)	23	22	1	95.7%
MASTIFF	251	216	35	86.1%

MINIATURE AMERICAN SHEPHERD	1	1	0	100.0%
MINIATURE PINSCHER	57	47	10	86.1%
MINIATURE SCHNAUZER	115	91	24	79.1%
MIXED BREED	1,208	1,033	164	85.5%
MUDI	5	2	3	40.0%
NEAPOLITAN MASTIFF	15	10	5	66.7%
NEWFOUNDLAND	176	154	22	87.5%
NORFOLK TERRIER	14	13	1	92.9%
NORWEGIAN ELKHOUND	122	91	31	74.6%
NORWICH TERRIER	15	11	4	73.3%
NOVA SCOTIA DUCK TOLLING RETRIEVER	37	29	8	78.4%
OLD ENGLISH BULL DOGGE	19	18	1	94.7%
OLD ENGLISH SHEEPDOG	49	38	11	77.6%
OTTERHOUND	11	8	3	72.7%
PAPILLON	94	77	17	81.9%

PARSON RUSSELL TERRIER	12	12	0	100.0%
PATTERDALE TERRIER	5	4	1	80.0%
PEKINGESE	15	14	1	93.3%
PEMBROKE WELSH CORGI	212	168	44	79.2%
PERRO DE PRESA CANARIO	3	3	0	100.0%
PETIT BASSET GRIFFON VENDEEN	9	8	1	88.9%
PHARAOH HOUND	55	45	10	81.8%
POINTER	20	18	2	90.0%
POLISH LOWLAND SHEEPDOG	11	6	5	54.5%
POMERANIAN	36	28	8	77.8%
POODLE, MINIATURE	71	55	16	77.5%
POODLE, STANDARD	261	230	34	88.1%
POODLE, TOY	55	44	11	80.0%
PORTUGUESE PODENGO GRANDE	2	1	1	50.0%
PORTUGUESE PODENGO	3	3	0	100.0%

MEDIO

PORTUGUESE PODENGO PEQUENO	2	1	1	50.0%
PORTUGUESE WATER DOG	163	127	36	77.9%
PRESA CANARIO	39	35	4	89.7%
PUG	48	44	4	91.7%
PULI	26	24	2	92.3%
PUMI	1	1	0	100.0%
PUNGSAN	2	2	0	100.0%
PYRENEAN SHEPHERD	3	2	1	66.7%
RAT TERRIER	23	18	5	78.3%
RHODESIAN RIDGEBACK	556	467	88	84.0%
ROTTWEILER	5,866	4,954	915	84.5%
RUSSO – EUROPEAN LAIKA	2	2	0	100.0%
SAINT BERNARD	53	45	8	84.9%
SALUKI	65	45	20	69.2%

SAMOYED	293	235	58	80.2%
SCHIPPERKE	130	119	11	91.5%
SCOTTISH DEERHOUND	34	29	5	85.3%
SCOTTISH TERRIER	35	23	12	65.7%
SEALYHAM TERRIER	1	1	0	100.0%
SHETLAND SHEEPDOG	511	351	160	68.7%
SHIBA INU	27	18	9	66.7%
SHIH TZU	48	37	11	77.1%
SHILOH SHEPHERD	26	21	5	80.8%
SIBERIAN HUSKY	304	264	40	86.8%
SILKEN WINDHOUND	4	4	0	100.0%
SILKY TERRIER	19	14	5	73.7%
SKYE TERRIER	8	3	5	37.5%
SLOUGHI	3	3	0	100.0%
SOFT COATED WHEATEN TERRIER	37	27	10	73.0%

SPINONE ITALIANO	6	3	3	50.0%
STAFFORDSHIRE BULL TERRIER	136	124	13	91.2%
STANDARD SCHNAUZER	71	50	21	70.4%
SUSSEX SPANIEL	4	4	0	100.0%
SWEDISH VALLHUND	4	4	0	100.0%
TEXAS HEELER	1	1	0	100.0%
THAI RIDGEBACK	2	2	0	100.0%
TIBETAN KYAPSO	1	1	0	100.0%
TIBETAN MASTIFF	17	9	8	52.9%
TIBETAN SPANIEL	12	11	1	91.7%
TIBETAN TERRIER	14	8	6	57.1%
TOSA	3	3	0	100.0%
TOY FOX TERRIER	10	8	2	80.0%
TREEING FEIST	2	1	1	50.0%
VIZSLA	52	44	8	84.6%

WEIMARANER	222	179	43	80.6%
WELSH SPRINGER SPANIEL	6	6	0	100.0%
WELSH TERRIER	38	29	9	76.3%
WEST HIGHLAND WHITE TERRIER	67	60	7	89.6%
WHIPPET	201	173	28	86.1%
WHITE SHEPHERD	31	27	4	87.1%
WIREHAIED POINTING GRIFFON	2	2	0	100.0%
XOLOITZCUINTLI	7	6	1	85.7%
YORKSHIRE TERRIER	42	35	7	83.3%
YUGOSLAVIAN TRICOLOR HOUND	1	1	0	100.0%
TOTALS	33,925	28,295	5,620	83.4%

