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**MAQUOKETA**

**SENTINEL-PRESS**

Volume 156, No. 29 ■ 20 pages Plus Supplements ■ **Saturday, August 29, 2009** ■ \$1.00 per copy

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Due to a varying number of supplements purchased by our advertising customers for insertion in *The Maquoketa Sentinel-Press*, subscribers in some areas may not receive all the supplements listed.

**PUBLIC NOTICES**

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- Andrew School Election
- Lula Arlene Mannning probate
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- Zelma P. Deacon probate

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**OFFICIAL NEWSPAPER**

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- City of Maquoketa
- City of Andrew
- City of Baldwin
- City of Monmouth
- City of Delmar
- Delwood School District
- Maquoketa School District



MSP photo by Kelly Gerlach

## Budde recieves multiple awards at 2009 4-H Fair

**Morgan Budde**, North Fork New Horizons 4-H Club, won 1<sup>st</sup> Place Dog Project Folder in which each member is required to complete a folder describing the member and dog's experience of the year with training and caring of dog. Budde was also named Senior Showman at the 2009 Dog Show and her dog was also the Novice A Obedience winner.

# Pit bulls continue to be unwelcome

By **DOUGLAS MELVOLD**

The Maquoketa City Council wants to continue to make pit bull dogs an unwelcome pet in the city and took initial steps to sharpen its enforcement tactics.

The council at a work session earlier this month agreed to take steps to close a loophole that prevents police from enforcing the citywide ban on the dog.

Police Chief Brad Koranda told the council that officers can't enforce the city's ordinance banning the dogs because the city has been unable to find someone with the expertise to identify any of the breeds that are commonly known as a pit bull, and who will testify in court.

Koranda said city Attorney Mark Lawson has told him that he can't prosecute offenders in court because he has lacks the expert witness.

"The problem is we have an ordinance that we can't enforce because our city attorney will not allow us to abate any pit bulls. So we have pit bulls all over town right now," Koranda told the council.

He said no veterinarians in the area are willing to appear in court as expert witnesses to identify dogs suspected of being a pit bull-type.

Koranda raised the issue after hearing that officials in Ottumwa faced the same problem and found a training course that will provide enough training that will qualify the person as an expert witness in court in identifying the dog.

After a discussion, most council members present said the city should continue to ban pit bull-type dogs and should have a police officer undergo the training course. Koranda said the

training course consists of three levels. He estimated the cost at \$1,000 for each level to cover the training fee, transportation, lodging and other expenses. He said he brought the training to the council's attention "because that's going to be a lot of expense for one ordinance."

He estimated it would take an officer about 1 1/2 years to complete all three levels.

He said the city's ordinance also needs to be more specific in identifying pit bulls.

The enforcement issue dates back to December of 2006, when the Iowa state ombudsman issued an investigative report criticizing Maquoketa's longtime ordinance banning pit bulls as unconstitutionally vague.

The ombudsman said the council needed to rewrite the ordinance to define in greater detail the type of dog it wishes to ban. In addition, the Police Department needs to have a source who is qualified to judge whether or not a dog is a pit bull.

Councilman Tim Clark argued that the city should drop its ordinance banning pit bulls and instead ban any dog or other animal that is aggressive or that constitutes a nuisance. He noted that dogs other than pit bulls can be aggressive and said police should deal with animals "on a case-by-case basis" and not prohibit all animals of a particular breed.

"You can train a golden retriever to do that same thing a pit bull can," Clark argued.

Koranda said the city's present ordinance does ban "dangerous animals." But he said that animals can't be banned under such an ordinance until after they have attacked a person or another dog.

"We'll enforce whatever ordinance we have," Koranda told the council. Right now we have an ordinance I can't enforce and it makes us look like we can't do anything."

He said police probably have had more complaints about pit bull attacks in recent years than for any other type of dog.

In his years on the police department, he said two attacks occurred before he became chief and two have occurred since then. In the latter cases, a child was attacked and the owner had the dog euthanized. Later a meter reader was attacked and police issued an abatement ordering the dog to be removed from the city. He said there have been no incidents involving pit bulls in the past year.

Koranda said pit bull owners list their dog simply as a "mixed breed" when getting it registered. He said the owners know that the burden of proof is on the city to show it is a pit bull.

Councilman Galen Saunders said the city should enforce the present ordinance even without an expert witness.

"When it starts costing the dog owner money to face the city attorney, they're going to drop it or they're going to get the dog out of town, one of the other," Saunders said.

"Is the dog worth a \$1,000 lawyer bill? I doubt it. I wouldn't pay \$1,000 or \$500 or \$50. We need to stick with what we've got and get them out of town."

Koranda said he did not know which officer would take the training course and said he hadn't yet approached them about it.