

**Town of North Hampton New Hampshire**

**North Hampton Dog Park Committee**

Notice of Public Meeting

6:30 PM Thursday, March 8th, 2018

Mary B. Herbert Conference Room; 233 Atlantic Avenue

**Final**

**Call to order**

Pat McLean called to order the meeting of the Dog Park Committee at 6:36pm.

**Attendees:** Pat Mclean, John Dover, Casey Dupuis, Valerie Gamache, Cindy Jenkins, Jalisa Bush, Michael Trotta, and Amanda Jonovski.

**Not Present:** Philip Thayer, Meredith Vallee, Colin Smith, and Willow Foley, Paige Libbey, Ronni Martin, and Marlane Bernardo.

**Approval of minutes from February 8<sup>th</sup>, 2018**

Minutes were reviewed; Motion to approve the minutes as is was made by John. Seconded by Jalissa. Unanimously accepted.

**Agenda / Outstanding items**

**4.1 Discussion of Valerie's Legal Research**

- Valerie made clear as we are not lawyers, we should ask that a town appointed lawyer review the findings regarding legal liabilities before establishing the dog park. Likewise another appropriate expert the town should consult is its insurance provider for any legal or coverage issues.
- Cindy brought up the ongoing issues of the open land/park in Rye, and we learned that it is not technically a dog park and has faced issues that we will not necessarily face
- In her presentation of her research into legal issues, Valerie included the NH state law and North Hampton ordinances relative to the handling of dogs on public land – Town Ordinance's 1-66 through 1-69

**4.2 Finalization of Select Board Charge**

The committee has decided to start at the top of the Charge and move through paragraph by paragraph to approve.

The committee has begun editing from the beginning of the Charge to the end of the paragraph titled "Benefits":

- Casey, on behalf of Paige, suggested to add a sentence at the end of the Benefits paragraph stating, "It is the committee's belief the benefits of a dog park are outlined in our mission statement."
- John mentioned that the word "Pervasive" may have negative connotations, however Pat stated that this was a quote and could not be altered.
- Cindy confirmed whether the term "Public" would include North Hampton residents or everyone,

and from past meeting minutes we determined that this was referring to everyone.

- The group reviewed a note from Paige who could not make the meeting stating:

“one important item we should note is that in NH's recreational use liability law it states: "An owner, occupant, or lessee of land, including the state or any political subdivision, who **without charge** permits any person to use land for recreational purposes or as a spectator of recreational activity, shall not be liable for personal injury or property damage in the absence of intentionally caused injury or damage.” Specifically the line I underlined, without charge. If we choose to CHARGE a membership fee to use the park, the town may not be covered by this law. This is another good reason to seek donations rather than to charge a required membership fee. “ – Paige Libbey

- Casey has made the motion to approve the select board charge from the beginning to the end of the Benefits paragraph. Amanda has seconded this motion. The committee unanimously voted to agree.

Pat has agreed to redraft the Charge based on tonight’s edits and email it to all of us tomorrow.

The committee has begun discussion of the sections titled “Liabilities”:

- The University of Michigan extensively researched legal databases, finding very few cases regarding dog parks. Designing a Model Dog Park Law
- The group has decided to cite the NH state recreational use liability law RSA 508:14
- Cindy shared a list of additional possible liabilities. The group reviewed these to make sure they were all inherent and covered by the rules.
- The group determined to add a sentence following, “*While there is always concern about dog behavior and health, in our review of dog park information there was little to substantiate this as a deterrent.*” The sentence we have decided to add states, “**Additional health and behavior liabilities could arise in the case that dog park users did not follow the rules.**”
- The group determined that a sentence should be added to the end of the rules, stating: “In closing, we found that through research and personal experiences, people who use dog parks abide by the rules and are in favor of contributing to the success of the dog park.”
- Valerie makes a motion to accept her additional comments regarding legal liabilities to the Charge. Jalissa seconds. The committee unanimously voted to agree.

The committee has begun discussion of the sections titled “Rules”, “Prohibited”, and “Elements necessary for a successful and safe dog park”:

- Amanda made a motion to take a vote whether to change the rule “Dogs must be properly licensed, vaccinated, and wearing tags” to remove the part about wearing tags. The group voted 5 in favor 3 against. The words “and wearing tags” will be removed.
- John suggested we change the rule that states “Dog handlers must be within the dog park and supervising their dog(s) at all times with a leash readily available” to replace the word “supervising” to “monitoring”. The group unanimously agreed.
- Amanda suggested an edit to this section stating
  - o 4’ high chain linked fence enclosing 3 areas including:
    - A transfer area
    - An area for large dogs
    - An area for small dogs

- 3 gates between
  - The exterior and transfer area
  - The transfer and small dog areas
  - The transfer and large dog area
- The group determined that we should change this to state “a minimum of 4 feet”.
- Cindy made a motion to suggest a change in the hours to read “dawn to dusk” rather than from “dusk to dawn”. The group unanimously agreed.

Amanda makes a motion to accept the Charge up to this point. Michael seconded. The majority of the committee voted to agree (8 in favor 1 against).

Amanda made a motion to change the font to Verdana size 12 from Comic Sans. The group unanimously agreed.

The committee has begun discussion of the last four paragraphs of the Charge draft. John made a motion to accept this as stated. Jalissa seconded. The group unanimously agreed.

Cindy has stated that from this point forward she plans to retire from the committee.

#### **Day and Time of Next Meeting**

We have decided to wait to determine the date and time of our next meeting until we hear the results of the Select Board meeting.

Amanda made the motion to adjourn the meeting at 8:06 pm. John Seconded.

Minutes submitted by: Casey Dupuis

Minutes approved by: