

★ Roll Call Number
08-1234

Agenda Item Number
59

Date July 14, 2008

PUBLIC HEARING ON VICIOUS
ANIMAL APPEAL OF JOSHUA GREEN

WHEREAS, Joshua Green, 2525 County Line Road, Lot #247, filed an application for appeal before the City Council of the City Hearing Officer's decision upholding the Chief Humane Officer's declaration of his dog as a vicious animal; and,

WHEREAS, Mr. Green requested an opportunity to address the City Council regarding his appeal; and,

WHEREAS, Mr. Green has been provided with the opportunity to address the City Council on the matter of his appeal; and,

WHEREAS, the dog falls under the definition of vicious dog as contained in Section 18-41 of the Des Moines City Code relating to vicious dogs; NOW THEREFORE,

BE IT RESOLVED (Choose one of the two alternatives):

X Alternative One: That the order of the Hearing Officer be upheld and Mr. Green's dog be declared vicious.

MOVED BY Coleman TO UPHOLD DECLARATION

Alternative Two: That the order of the Hearing Officer be reversed and Mr. Green's dog not be declared vicious.

MOVED BY _____ TO REVERSE DECLARATION
FORM APPROVED:

K. Massier
Katharine Massier
Assistant City Attorney

COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE	✓			
COLEMAN	✓			
HENSLEY	✓			
KIERNAN	✓			
MAHAFFEY	✓			
MEYER	✓			
VLASSIS	✓			
TOTAL	7			
MOTION CARRIED			APPROVED	

T. M. Franklin Brown
Mayor

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

Diane Rauh
City Clerk