

★ Roll Call Number

11-1388

Agenda Item Number

41

August 8, 2011

Date

WHEREAS, Rusty Smith, 126 SE Jackson Avenue, filed an appeal before the City Council of the Hearing Officer's decision upholding the Chief Humane Officer's declaration of his dog as a Dangerous Animal; and

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

WHEREAS, Mr. Smith has been provided with the opportunity to address the City Council on his appeal; NOW THEREFORE,

BE IT RESOLVED by the City Council of the City of Des Moines, Iowa (Choose one of the two alternatives);

Alternative One: That the order of the hearing officer be upheld and Mr. Smith's dog be declared a dangerous animal and order the dog destroyed in a humane manner under Des Moines Code §18-202(b).

MOVED BY Griess TO UPHOLD DECLARATION AND TO HUMANELY DESTROY THE ANIMAL.

Alternative Two: That the order of the hearing officer be reversed and Mr. Smith's dog not be declared a dangerous animal.

MOVED BY TO UPHOLD DECLARATION AND TO HUMANELY DESTROY THE ANIMAL.

FORM APPROVED: MOVED BY TO ADOPT

K. Massier
Katharine J. Massier

Table with 5 columns: COUNCIL ACTION, YEAS, NAYS, PASS, ABSENT. Rows include COWNIE, COLEMAN, GRIESS, HENSLEY, MAHAFFEY, MEYER, MOORE, and TOTAL. Includes MOTION CARRIED and APPROVED checkboxes.

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.

Mayor signature

Diane Rauh City Clerk signature