

Watsonville moves to curb smokers and dog owners

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A no-smoking ordinance was put on the books in Watsonville Tuesday, and the City Council moved a step closer to placing tougher restrictions on the ownership of vicious dogs.

The vicious-dog law was drafted at the request of Councilman Dennis Osmer after a child was mauled to death by a pit bull in Morgan Hill.

City Attorney Don Haile said it would be difficult to enforce a law banning pit bulls, because they are not a pure breed and are difficult to identify. Also, Haile said, it is best to take precautions against all dangerous dogs, not just one particular kind of dog.

Therefore, the proposed law defines vicious dogs as those that have bitten a person, have chased or attacked a person or other animal in a threatening manner or, by the nature of their "temperament, physical nature, ferocity, training or aggressive propensity," are capable of inflicting serious physical harm on a person or property.

The law requires that such dogs be kept in a pen, and be leashed and muzzled when allowed out of their pens. Dog-owners that violate the law can have their pets confiscated and destroyed.

Sue Downward, a member of several dog-training clubs, said she was particularly concerned that her Rottweiler dog could be deemed vicious simply because it is a large dog.

"We're just concerned about somebody getting too gung-ho about this," she said.

Councilman Joe Marsano shared that concern, saying he was afraid that if someone was bothered repeatedly by his neighbor's barking dog, he may report to the poundmaster that the dog is vicious, just to get rid of it.

The law will require proof that a dog is vicious, Haile said, and barking is not considered proof of viciousness.

"Try to live next door to a dog that barks," said Councilman Tony Campos. "It's a vicious, barking dog."

Haile stressed that there must be some evidence of the dog's

ferocity before the poundmaster or police chief can take any action against the dog or its owner.

Marsano, who as a postman has become an unofficial expert on dogs, said he was particularly glad the law is not aimed solely at pit bulls.

"I've been bit a few times," he said, "and none have been pit bulls."

After hearing from several members of local dog-training clubs that they would like time to study the proposed ordinance, and to perhaps suggest changes, the council agreed to hold a public hearing on Sept. 8 before adopting the ordinance.

After the council agreed to delay adoption of the vicious-dog ordinance, Councilman Osmer urged his colleagues to do the same with the no-smoking law, to no avail.

The law assigns to the fire chief responsibility for enforcing the no-smoking rules, and Osmer and Mayor Betty Murphy wanted to investigate whether the county Health Services Agency could instead handle that task.