

## Insurance, bond costs mean pet will be sent out of town

Written by Elizabeth Barrett  
Thursday, 12 August 2010 13:50 -

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### **City Council members declare dog potentially dangerous.**

The saga is over of whether or not a Gothenburg dog is potentially dangerous.

At their Aug. 3 meeting, Gothenburg City Council members unanimously decided that a female pit bull fit that category.

On July 7, witnesses said the dog—that belongs to Joseph and Krista Davis—attacked a boxer belonging to neighbors Brenda and Adam Hayes.

The pit bull bit Adam when he and his mother were trying to separate the dogs which meant a trip to the Gothenburg Memorial Hospital emergency room for stitches on July 7.

Before the council's decision, the Davises approached the council for the third time in a row to stop their pet from being declared potentially dangerous.

Such a designation requires owners to do certain things like paying \$250 to register the animal plus a \$100 yearly renewal fee.

Another obstacle for the Davises is insurance.

To register the dog and allow it to remain in town, city attorney Mike Bacon said the Davises would have to have an insurance policy for \$300,000 per occurrence or a bond for \$300,000.

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To get a bond, Bacon said they would have to pledge assets equal to the amount of the bond to obtain the bond.

During a July 20 council meeting, a hearing was recessed so police officer Ryan Randolph could measure the length of chain attached to the pit bull's collar when it attacked the Hayes' dog.

At question was whether or not the boxer crossed from its yard onto the property where the pit bull was chained to a trampoline.

Joseph said the 12-foot chain would not reach into the Hayes' yard.

However Randolph, at the Aug. 3 meeting, told the council that part of the dog's body was over the property line when he investigated how far the chain would reach from the trampoline.

Brenda Hayes, the only witness to the July 7 attack, testified that she had gone outside with her dog to fill a bird feeder that day.

She said she heard noises and saw that her dog had been dragged into the Davises' yard by the pit bull.

"I couldn't get them apart so I yelled for Adam who got bit," Brenda said.

Brenda said she's taken care of the pit bull and another dog belonging to the Davis family without problems.

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“But I worry about if something else happens,” she said. “We have grandkids and cats and a dog.”

Randolph said dogs can be different when owners are not around, noting that the Davis family was not home when the incident happened.

“The problem is that the dog bit another dog and person,” he said, noting that the action means that the Davises be cited for having a dangerous animal under city ordinance.

Council member Jim Aden said he struggled with the decision because dogs sometimes fight and people get bit trying to get them apart.

“But if you do nothing and a small child is bit, where do you go from there?” Aden asked. “It’s not personal but we need to deal with it.”

Because of the high cost of insuring a potentially dangerous dog, the councilman suggested that the council take a look at the ordinance at another meeting.

Jeff Kennedy, council president, said the council needed to “protect the community and ourselves.”

Kennedy made the motion declaring the dog potentially dangerous.

When Joseph asked whether the dog had to be destroyed or moved to another town, Bacon said it was the couple’s decision.

Following the meeting, the majority of council members said the decision to declare the dog potentially dangerous was difficult.

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On Friday, the Davises said they plan to give Nina to out-of-town friends.