

PUBLIC SAFETY AND HEALTH COMMITTEE REPORT
Wednesday, August 10, 2011 10:00 AM – 11:00 AM
Council Chambers, 140 West Pine Street, Missoula, Montana

Members Present: Pam Walzer, Cynthia Wolken, Bob Jaffe, Jon Wilkins, Renee Mitchell, Lynn Hellegaard, Dick Haines, Ed Childers

Members Not Present: Dave Strohmaier

Other Present: Jim Nugent, Ed Franceschina, Jim Carlson, Marty Rehbein, Jerry Bromenshenk, Mike Robinson, Charlie Leetch, Melissa Bangs

I. ADMINISTRATIVE BUSINESS

1. Approve minutes from [August 3, 2011](#). Minutes approved unanimously.

II. PUBLIC COMMENT

III. CONSENT AGENDA ITEMS

IV. REGULAR AGENDA ITEM

1. Consider an ordinance amending Title 6 Missoula Municipal Code entitled "Animals" repealing Chapters 6.02, 6.04, 6.09, 6.12, 6.16, 6.20 and 6.22, enacting Chapter 6.07 entitled "Animal Ordinance" and renaming Chapter 6.08 entitled "Dogs and Pet Shops" to "Pet Shops, Pet Sales and Boarding Kennels" to generally amend, recodify and update the city's regulations pertaining to animals, increase license fees and increase fines pertaining to violations. ([memo](#))—Regular Agenda (Marty Rehbein) (Referred to committee: 06/27/11)

HELD IN COMMITTEE

Ed Franceschina provided an overview of proposed changes to the animal ordinance regarding livestock, chickens and beekeeping.

Marty Rehbein noted that the wording in the section Ed was covering was actually relocated from another section of the existing ordinance.

Pam Walzer feels that the description of space considerations in the ordinance for keeping livestock is not clear.

Jim Carlson described his interpretation of the space considerations.

Pam Walzer would like to clarify the intent.

Jon Wilkins found the wording of the space considerations is confusing.

Marty Rehbein clarified the intent of the wording.

Dick Haines feels that the Animal Control department should clarify the wording for the committee.

Ed Franceschina stated that this section of the ordinance has always presented problems to the Animal Control department.

Marty Rehbein asked what the committee would like to see in the language.

Pam Walzer discussed the confusing aspects of the space consideration wording.

Renee Mitchell discussed her interpretation of the space considerations in the ordinance.

Dick Haines would like to see the space consideration wording left to the Animal Control department, as they are the experts.

Cynthia Wolken asked about the listing of specific livestock in the ordinance. She pointed out that the list does not include animals such as miniature pigs in the domestic exemptions.

Bob Jaffe discussed domestic exemptions.

Jim Carlson discussed domestic exemptions.

Marty Rehbein suggested directing people who want to keep animals not listed in the ordinance to the Animal Control Board for permission. She discussed animal ordinances in other cities.

Pam Walzer presented a scenario regarding unusual animals that are kept as pets.

Jim Carlson replied that certain standards should apply. He discussed the difficulties in regulating varieties of animals within a species.

Dick Haines would like to see the wording in the ordinance kept as general as possible in order to address that.

Pam Walzer discussed adding language that would give the Animal Control Board discretion on a case by case basis.

Jim Carlson discussed the difficulties his department encounters with the 1989 cutoff for keeping livestock in the City.

Jim Nugent described the grandfather clause in the ordinance regarding keeping livestock in the City.

Marty Rehbein discussed the issue in regards to annexation.

Ed Franceschina discussed the section of the Animals ordinance regarding chickens.

Pam Walzer discussed the proposed language regarding beekeeping.

Lynn Hellegaard expressed her concern for citizens who suffer severe reactions from bee stings. She suggested a signage requirement.

Jon Wilkins described the issue of bee stings.

Dick Haines discussed the section regarding beekeeping in bear buffer zones. He would like to see the language clarified.

Dick Haines feels that the nuisance behavior definition needs to be clarified.

Jerry Bromenshenk, research professor at the University of Montana and CEO of Bee Alert Technologies, discussed keeping bees in an urban environment. He shared his knowledge of bees and beekeeping with the committee. He made several suggestions regarding the proposed ordinance.

Mike Robinson discussed beekeeping, and made some suggestions regarding some of the provisions in the ordinance.

Charlie Leetch discussed beekeeping. He described the Montana Department of Revenue fees. He discussed acreage and setbacks. He described his hives. He provided an example of the signs he posts on his fences notifying the public of his beekeeping.

Melissa Bangs expressed her support for urban beekeeping. She discussed her concerns regarding the regulation of miniature goats and potbellied pigs.

V. HELD AND ON-GOING AGENDA ITEMS

1. Police Department Update – Ongoing in Committee. (Mark Muir)
2. Fire Department Update – Ongoing in Committee (Mike Painter)
3. Health Department Update – Ongoing in Committee. (Ellen Leahy)
4. Eat Smart Coalition information. ([memo](#))—Regular Agenda (Jason Wiener) (Referred to committee: 07/11/11)

V. ADJOURNMENT

The meeting adjourned at 11:06 AM. Submitted by Gregg Schonbachler.