



City of Homer

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Police Department

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Memorandum 22-181

TO: Renee Krause, MMC, Deputy City Clerk II
FROM: Chief Robl
DATE: 9-26-2022
SUBJECT: City Ordinance Revision of Title 20

I am in support of amending Title 20 regarding animals at large and nuisance animals. I fully support increasing the associated fines.

We do not issue many citations under this ordinance section. Problems with animals being at large, dogs off of leashes, etc. are seldom brought to our attention. We have records of four animal at large complaints in the last two years. In three of the four cases responding officers were not able to locate the offenders or identify them. In one case the animal owner was issued a warning. Approximately five years ago we dealt with a continuing problem of goats being at large and damaging private property in the Kachemak drive area. We issued over 20 citations in the case and eventually gained compliance from the goats' owners. This case eventually required the involvement of our city attorney.

Trying to define "noise" relating to complaints with animals is difficult to do. Relatively low amplitude noise in the form of continuous whining or whimpering from a dog can be extremely annoying. Birds can make various noises for a considerable period of time that is also low in volume but still very aggravating. I think leaving the noise definition alone and instead continuing to refer to repeated or continued noise in the ordinance is best. Having a firm definition of noise could restrict our ability to take enforcement action with this ordinance in some cases. We have run into issues trying to enforce the current ordinance. Two years ago we had a citizen report problems with a neighbors geese making continuous, irritating noise. He tape recorded the noises and we did eventually issue a citation in the case. The judge dismissed the case and stated; "This is Alaska and we have animal noises here". The goose noises continued and the citizen continued to tape record them. We listened to the recordings for hours and never noticed a new, louder or different noise than was originally reported so no further citations were issued. The city manager became involved in this case and helped to mediate it. I think we need to have the flexibility to judge noise complaints independently based on the circumstances of each case.