

**Amberley Village Council
Public Buildings & Parks Committee – Meeting Minutes
December 21, 2020, via Zoom**

Present: Peg Conway (chair), Ray Warren (committee), Tom Muething, Natalie Wolf, Elida Kamine, Scot Lahrmer, Wes Brown, Bryan Snyder (Hamilton County Planning), Community members: Billy Gillman, Jessica Wagner, Katie Wellman
Absent: Ed Hattenbach (Committee)

Prior Minutes

Minutes from the meeting on November 24 were accepted as submitted.

Dog Control Regulations/Signage at Amberley Green

Based on the Committee's previous discussion, staff had prepared draft regulations outlining specific hours for dogs off-leash at Amberley Green, defining dogs under control and other requirements for the Committee's review (attached to these minutes), which the Chair presented and summarized. Mr. Warren stated that he had been giving this matter a lot of thought and had reviewed the Committee's work to date. Summarizing his understanding of it, including data from other communities provided previously that indicated nearly all require leashes, he suggested that a leash law is the more appropriate response for Amberley. Ms. Conway noted that the AV police department had pointed out enforcement issues with a leash law and had suggested the hybrid approach contained in the draft regulations.

A resident who lives adjacent to the property and walks there often spoke in favor of a leash law. Two individuals from other communities spoke of how much they value the opportunity to exercise with their dogs and to socialize; they have not experienced problems with dogs. Ms. Wolf supported the draft regulations and wanted the signage to convey a welcoming message. Ms. Kamine expressed concern that the late afternoon hours were only for dogs off leash when that could be a busy time for many desiring to walk after work. Mayor Muething noted that the intent is to change behavior and emphasized that the property is public space that welcomes all, not just Amberley residents.

Subsequent discussion resulted in adding a provision that the Village may require leashes at specific times for special events. Whatever might be adopted, the Committee committed to reviewing it every 18 months. Various approaches to limiting off-leash hours were discussed, but the Committee was unable to come to consensus. Another meeting will be held in early January to continue the deliberations. Signage will be discussed when the approach is clearer.

Referral of Amberley Green District Zoning text

At its November 30 work session, Council referred two matters related to the Amberley Green District (AGD) zoning text to the Committee.

- 1) Clarifying processes for the Village to hold special events on the property: Mr. Lahrmer presented the temporary uses language in the AGD zoning text that allows for certain kinds of events to be approved by the BZA. He also explained that existing code allows staff to administratively approve some events, like garage sales and tents in yards. Bryan Snyder explained that however the Village arranges events currently can continue with the AGD zoning because the designation only changes when requested and approved. Staff suggested that the existing code be amended to allow staff to approve events of a week or less in duration. The Committee concurred with this approach.
- 2) How to incorporate the MKSK Conservation Study into AGD zoning: The concern was to make the study content meaningful while still allowing some flexibility in the future. Mr. Snyder suggested that it be incorporated by reference into the conditions for approval in the zoning text. Potential developers and BZA/Council would then need to consider it as part of the approval process but the study itself could still be updated or augmented in the future. Mr. Warren moved to recommend that Council adopt the MKSK Conservation Study and incorporate it into the AGD zoning's conditions for approval. The motion passed unanimously.

There being no further business, the meeting was adjourned. Prepared by: Peg Conway, Chair

AMBERLEY GREEN – DOG CONTROL REGULATIONS

- a) Owner/Caretaker - For purposes of the regulations in this chapter, the terms “Owner” or “Caretaker” shall mean any person who owns a dog, who permits a dog to be lodged or fed at the person’s residence or appurtenant buildings, or who is hired or otherwise charged with walking, feeding, attending to, or otherwise caring for a dog owned by another.

- b) Parking Lots - When in any parking lot at Amberley Green, dogs are required to be physically restrained on a leash by the dog’s Owner or Caretaker at all times.

- c) Maximum Number of Dogs – No Owner or Caretaker is permitted to bring more than three (3) dogs to Amberley Green at any one time. During time periods when dogs are permitted to be off-leash, Owners or Caretakers shall have no more than two (2) unleashed dogs at any one time.

- d) Under Control –A dog at Amberley Green that is not physically restrained on a leash must be under the control of its Owner or Caretaker. For the purposes of the regulations in this chapter, the term “Under Control” means that the dog:
 - 1) Is visible to the Owner or Caretaker;
 - 2) Comes to the Owner’s or Caretaker’s side when called;
 - 3) Stays by the Owner’s or Caretaker’s side when instructed to do so, under any circumstances;
 - 4) Refrains from chasing wildlife, animals, or other dogs against the Owner’s or Caretaker’s commands;
 - 5) Refrains from jumping on or attempting to contact other individuals who may be walking on paths, or who otherwise may be in close proximity to the dog.

Any dog not capable of being kept Under Control by its Owner or Caretaker shall be kept physically restrained on a leash at all times when on any part of the Amberley Green premises. The Village retains the sole discretion in determining whether a dog is Under Control under these guidelines and may, at any time, direct an Owner or Caretaker to physically restrain a dog on a leash if the dog demonstrates an inability to be and remain Under Control.

- e) March 1 through October 31 - During this time period, the following regulations shall apply to dogs present at Amberley Green:
 - 1) From 9 a.m. until 3:59 p.m. dogs are required to be physically restrained on a leash by the dog’s Owner or Caretaker in all areas of Amberley Green.

- 2) From 7 a.m. until 8:59 a.m. and from 4 p.m. until 7 p.m., dogs are permitted to be on Amberley Green premises without being physically restrained by a leash, so long as the dog can be kept Under Control of its Owner or Caretaker, as defined in Section d) above.
- f) November 1 through February 28 (or 29th in a leap year) – During this time period, dogs are permitted to be on Amberley Green premises without being physically restrained by a leash, so long as the dog can be kept Under Control of its Owner or Caretaker, as defined in Section d) above.
- g) Disposal of Waste - Owners and Caretakers are required to collect and properly dispose of any fecal matter deposited by their dog(s). Fecal matter must be collected in an appropriate bag or receptacle and disposed of in designated containers located on the Amberley Green premises.
- h) Liability - Any Owner or Caretaker who fails to comply with the provisions of this chapter will be liable for any injury, death, or loss of property caused by the dog's action and the Owner's or Caretaker's failure to comply with these provisions.