



Town of Panton Chartered 1761

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PANTON RULES OF PROCEDURE FOR SELECTBOARD VICIOUS DOG/WOLF-HYBRID HEARINGS

A. PURPOSE. The Select board of the Town of Panton is required by 20 V.S.A. § 3546 to conduct a hearing when a domestic pet or wolf-hybrid has bitten a person while the domestic pet or wolf-hybrid is off the premises of the owner or keeper, the person bitten requires medical attention for the attack, and the person bitten has filed a written complaint with the Select board. The purpose of these rules is to establish uniform procedures for conducting such vicious domestic pet or wolf-hybrid hearings and to ensure compliance with Vermont's Open Meeting Law.

B. APPLICATION. These rules of procedure shall apply to all vicious domestic pet or wolf-hybrid hearings conducted by the Town of Panton Select board. A copy of these rules shall be provided to each party bringing a complaint before the Select board. The Select board Chair shall conduct the hearing in the following manner:

C. PROCEDURE.

1. The chair of the Select board, or in the chair's absence, the vice-chair, shall chair all vicious domestic pet or wolf-hybrid hearings. If both the chair and the vice-chair are absent, a member selected by a quorum of the Select board shall chair the hearing. The chair may make motions and may vote on all questions before the Select board. The chair shall rule on all questions or order and procedure.

2. The chair may exclude any irrelevant, unreliable or unnecessarily repetitive evidence. Relevant evidence is any verbal testimony or document that tends to demonstrate the innocence or guilt of the domestic pet or wolf-hybrid subject to complaint. Reliable evidence is any relevant evidence commonly relied upon by reasonably prudent people in the conduct of their affairs.

3. All vicious domestic pet or wolf-hybrid hearings shall be conducted in the following sequence:

- a. Open the hearing by reading the warning/notice of the hearing.
- b. Read the complaint received, or provide summation of facts, and remind all present that this hearing is mandated by State law [20 V.S.A. § 3546], will be conducted in an orderly manner and that all statements must be directed to the Chair.
- c. Ask the complainant/respondent if he/she has received a copy of these rules of procedure and whether he/she has any questions about how the hearing will proceed.
- d. Request disclosure of any conflicts of interest and/or ex parte communications.

e. Direct the complainant or his/her representative and all others providing evidence thereafter to step forward and take the following oath: I hereby solemnly swear (or affirm) that the evidence I give in the cause under consideration shall be the whole truth and nothing but the truth.

f. Accept written information from the complainant presented to the Select board.

g. Invite the complainant to present oral testimony to the Select board.

h. Invite Select board members to ask questions of the complainant.

i. Invite the domestic pet or wolf-hybrid's owner (respondent) or representative to respond to evidence presented.

j. Invite Select board members to ask questions of the domestic pet or wolf-hybrid owner.

k. Invite members of the public to present any relevant information regarding the complaint.

l. Invite more questions or comments from members of the Select board.

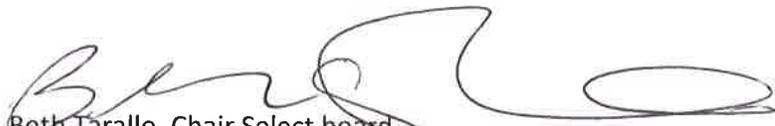
m. Allow final comments or questions from the complainant and domestic pet or wolf-hybrid's owner or their representatives or members of the Select board.

n. Upon motion and majority approval, the Chair shall either adjourn the hearing to a time and date certain (e.g. to obtain additional evidence), or close the proceedings by stating that this is the final public hearing on the matter.

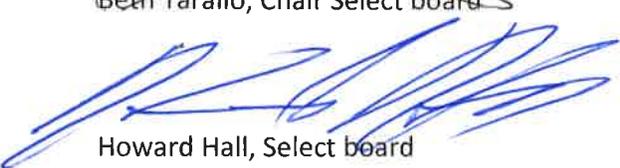
o. The Select board shall then conduct public deliberations, or may vote to enter deliberative session in which case the written decision of the Select board setting forth its findings of facts, conclusion of law and order for the domestic pet or wolf-hybrid will be rendered in writing to the owner of the domestic pet or wolf-hybrid by certified mail, return receipt requested within 14 days.

These rules may be amended by majority vote of the Select board.

Adopted by the Panton Selectboard at its organizational meeting held 7/12/2016.



Beth Tarallo, Chair Select board



Howard Hall, Select board