



Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202

Action Summary - Final Public Safety Committee

Chair Person Jessica Green (D-1)
Vice Chair James Peden (R-23)
Committee Member Barbara Shanklin (D-2)
Committee Member Barbara Sexton Smith (D-4)
Committee Member Mark H. Fox (D-13)
Committee Member Marilyn Parker (R-18)
Committee Member Madonna Flood (D-24)

Wednesday, February 12, 2020

3:30 PM

Council Chambers

Call to Order

Chair Person Green called the meeting to order at 3:33 p.m.

Roll Call

Chair Person Green introduced the committee members and non-committee members present. A quorum was established.

Committee Member Flood arrived at 3:36 p.m.

Present: 6 - Chair Person Jessica Green (D-1), Vice Chair James Peden (R-23), Committee Member Barbara Shanklin (D-2), Committee Member Barbara Sexton Smith (D-4), Committee Member Marilyn Parker (R-18), and Committee Member Madonna Flood (D-24)

Excused: 1 - Committee Member Mark H. Fox (D-13)

Non-Committee Member(s)

Council Member Brandon Coan (D-8)

Support Staff

Hollie Hopkins, Jefferson County Attorney's Office
Robbie Howard, Jefferson County Attorney's Office

Clerk(s)

Lisa Franklin Gray, Assistant Clerk

Pending Legislation

1. [R-170-19](#)

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$103,714 FROM THE KENTUCKY OFFICE OF HOMELAND SECURITY FY19 STATE HOMELAND SECURITY GRANT PROGRAM TO BE USED FOR THE PURPOSE OF PURCHASING AN X-RAY SYSTEM WITH RELATED EQUIPMENT AND BOMB SUIT PROTECTIVE ENSEMBLES TO BE ADMINISTERED BY THE LOUISVILLE METRO POLICE DEPARTMENT.

Sponsors: Primary Jessica Green (D-1)

Attachments: [R-170-19 V.1 121219 DHS Grant X-Ray System.pdf](#)

A motion was made by Vice Chair Peden, seconded by Committee Member Sexton Smith, that this Resolution be recommended for approval.

Lieutenant Colonel Robert Schroeder, Louisville Metro Police Department, spoke to the item stating that this is for two sets of equipment; a set of bomb suits for the bomb technicians when working with hazardous devices to ensure their safety and the second piece of equipment is an xray system. He stated that Louisville Metro Police Department's current xray machine is obsolete. He stated that the Louisville Metro Police Department is in the process of acquiring a new bomb vehicle and this xray system would be housed in this vehicle to allow the bomb technicians to xray suspicious devices in the field. He stated this piece of equipment would aid in their determination of what action to take to render it safe.

Vice Chair Peden asked if the \$103,714 was the total cost or if that was the cost contributed by Metro Government.

Sergeant Leland Asbury, Louisville Metro Police Department, responded to Vice Chair Peden's question by stating that the \$103,714 should cover everything needed and Metro Government would probably have some monies returned. He stated that there have been some discounting since the time the initial quote was received.

Committee Member Shanklin asked how many suits will be bought with this purchase.

Sergeant Asbury stated that two suits will be purchased with this expenditure. He stated that these are EOD 10 suits that are an update from the EOD 8 suits that the Louisville Metro Police Department has currently.

Chair Person Green asked Sergeant Asbury to explain the significance of the distinction between EOD 10 and EOD 8.

Sergeant Asbury stated that EOD stands for Explosive Ordinance Disposal unit suits. He stated that these are the commonly used bomb suits in North America and Canada. He further stated that these suits are top of the line in bomb suits. He stated that these are the suits bomb technicians use when training for the bomb squad.

The motion carried by a voice vote and the Resolution was sent to the Consent Calendar.

2. [O-038-20](#)**AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCE 91.023(D) TO CLARIFY RESPONSIBILITIES OF LICENSE AND PERMIT HOLDERS RELATING TO THE ANIMAL ABUSE OFFENDER REGISTRY.**

Sponsors: Primary Brandon Coan (D-8)

Attachments: [O-038-20 V.1 020620 ORD - AMENDMENT TO ANIMAL OFFENDER REGISTRY.pdf](#)

A motion was made by Vice Chair Peden, seconded by Committee Member Shanklin, that this Ordinance be recommended for approval.

Council Member Brandon Coan spoke to the item stating that this is a follow up amendment to the Animal Offender Registry Ordinance. He stated that Metro Animal Services and their partners have begun implementation of the registry.

Chair Person Green asked Council Member Coan about the first individuals to be prosecuted due to violations of this registry.

Council Member Coan stated he has been communicating with the Jefferson County Attorney's Office and Ozzy Gibson, Louisville Metro Animal Services regarding these violations. He stated that at this time the registry does not show offenders on the Metro Louisville web site, however, this will be updated in the future. He also stated that individuals may view similar registries in sister cities in which the information is auto-populated with pictures and names. He stated that the Metro Louisville web site will be updated some time this spring. He stated that the aim of this amendment is to narrow the definition of any animal. He stated that under the present ordinance licensees i.e. pet shops and adoption agencies were prohibited from selling any animal to someone on the list or that lives with someone on the list. He further stated that the licensee had an obligation to check the registry before they sold an animal to someone on the list or lives with someone on the list. He stated that the definition of any animal is overbroad. He stated that the Louisville Metro Code of Ordinances defines any animal as any non-human living creature, domestic or wild, excluding fish, insects and eggs; he reiterated the definition is very broad. He stated that the intent was not to burden businesses with this registry any more than necessary. He stated that in narrowing the definition of animals, the amendment defines animals that are subject to reporting under LMCO 91.076. He stated that the Louisville Metro Code of Ordinances already requires reporting upon the sale of a dog, cat, kitten, puppy or ferret. He stated that this is the group of animals the registry is seeking to protect, therefore, the narrowing of the definition of animal makes it clear to the licensee that before the sale of a dog, cat, kitten, puppy or ferret, the licensee's obligations kick in. He stated that this is stated in [sic] LMCO 91.076 sections 1, 2, and D (LMCO 91.023). He also stated that the narrowing of the definition does not prohibit a licensee from refusing to sell an animal that is not covered under the definition to an individual that is on the registry. He also cited section 6 of the Ordinance stating that Metro Government encourages all persons to consult the registry before selling or transferring an animal. He stated that this update to the definition will alleviate any burden on pet stores.

Chair Person Green asked if a bunny or pig may be considered a pet and

would be given this heightened level of protection. She stated she did not want to overburden pet store owners, but stated that there are individuals that also have these animals as pets. She stated she understood the overall intent, but thought the definition would cover all pets rather than a specific group of animals.

Council Member Coan stated that in reviewing LMCO Chapter 91 to narrow the definition of animal, there is a separate definition of domestic animals citing - dog, cat, rabbit, mouse, rat, reptile, guinea pig, chincilla, hamster, gerbil and ferret. He stated that this definition is a little more expansive, but less broad from the standpoint of any wild or domestic animal. He stated that a representative from Louisville Metro Animal Services would further explain the reasoning for narrowing the definition.

Lieutenant Adam Hamilton, Metro Animal Services, stated that the reasoning for the selected group - dogs, cats, ferrets, puppies and kittens - is because those are animals that must be checked, reported and licensed. A rabbit or mouse could be used to feed a larger animal and that is why those animals were excluded.

Chair Person Green asked if domesticated pigs require a license.

Lieutenant Hamilton stated that those animals only require to be permitted which is different from licensing.

Council Member Coan stated that previously an amendment was made as it pertains to restraints of animals; this is where the mention of porcine animals - pigs was considered, but was not included in this pet section.

Vice Chair Peden stated that from previous discussions regarding pigs, he feels these animals should be included under the definition. He stated he felt this option should be considered even if it included larger mammals that may not be considered pets like sheep and goats. He further stated that there are regulations on the humane slaughter of animals and as such he believes that larger mammals should be included under this registry.

Chair Person Green asked Council Member Coan about animal groups that had previously attended the meetings that were opposed to the inclusion of farm animals during the early stages of drafting the ordinance.

Council Member Coan stated that there was some opposition from certain groups like many ordinances. He stated that his goal is to protect animals and animal welfare for every animal. He stated that the Jefferson County Attorney's Office could address the regulating of treatment of livestock, which is different from domestic animals. He also stated that he would be happy to change the language to include larger animals after the present amendment.

Lieutenant Hamilton stated that livestock is simply permitted, but not licensed.

Chair Person Green and Council Member Coan spoke to the licensing versus permitting of animals, such as pigs and goats, etc., and how these may be cited in the ordinance.

Lieutenant Hamilton stated that pet shops could sell pigs, but that he is not

very familiar with how frequent these type of sales take place. He stated this would address those persons that would give a pig to someone rather than the sale of one.

Robbie Howard, Jefferson County Attorney's Office, stated that the main goal for the amendment is to assist the pet shops and entities of that nature trying to narrow the definition due to the quantities of animals that they sell. He stated there was a considerable discussion on the animals to include in the definition. He further stated that the animals were those that are required to be licensed which would cause the least amount of burden to the pet shops.

Committee Member Sexton Smith asked Council Member Coan to explain the amendment language 'subject to reporting' under [sic] LMCO 91.076 (91.023).

Council Member Coan stated that in 91.023 (D) (1) a person is prohibited from selling the cited five animals mentioned in the protected group to anyone on the registry. He also stated that before selling those animals, the seller must check to make sure the individual is not on the registry. He stated that the main goal of this amendment is to encourage use of the registry as much as possible. He stated that Metro holds licensees to a higher standard and that anyone, whether a licensee or not is encouraged to use the registry.

Committee Member Parker asked to clarify that a person is encouraged to use the registry, but not required. She asked how the licensee checks the identity of the buyer.

Lieutenant Hamilton stated that pet shops will be checking the identification of the buyer. He stated the buyer is required to license the animal of the protected group and this will aid the personnel of the pet shops.

Committee Member Parker asked who would check the identities and any challenges the licensee's may face.

Lieutenant Hamilton stated that is left up to the manager of the stores.

Council Member Coan stated that licensing of these animals is already a requirement that prompts a report of the sale of the protected animals. He stated that at this time there are no technological barriers as the registry is still in its beginning phases.

Committee Member Parker asked if there was any liability that may fall to the store owners if they do not regularly check the registry.

Robbie Howard stated that [sic] LMCO 91.076 section (3) (91.023) should cover this aspect. He stated that the store owners should be covered under good faith reliance.

Committee Member Parker asked who is responsible for updating the registry.

Robbie Howard stated that Louisville Metro Animal Services is responsible for updating the registry.

Lieutenant Hamilton stated that Louisville Metro Animal Services will receive monthly updates from the state and update the Metro web site accordingly.

Committee Member Parker asked about the notification process between Louisville Metro Animal Services and the store owners.

Lieutenant Hamilton stated that Louisville Metro Animal Services is currently developing a notification process with all stores.

Chair Person Green asked Vice Chair Peden if he was offering an amendment.

Vice Chair Peden stated he was not offering an amendment, however, he stated that there are defined lines between having a farm and having a pet. He reiterated that larger animals should be included in this protected group.

Committee Member Sexton Smith asked if it would be possible to have automatic notices sent from Louisville Metro Animal Services to update store owners.

Lieutenant Hamilton stated that he would be working with the Metro IT Department to design a mechanism for notifications.

Council Member Coan stated that the suggestion of automatic notices is a great idea that he thoroughly supports.

The motion carried by the following vote and the Ordinance was sent to the Consent Calendar:

Yes: 6 - Green, Peden, Shanklin, Sexton Smith, Parker, and Flood

Excused: 1 - Fox

Adjournment

Without objection, Chair Person Green adjourned the meeting at 4:01 p.m.

***NOTE:** Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on February 20, 2020.