

Town of South Bethany
South Bethany Charter and Code Committee (SBCCC) Meeting Minutes
October 15, 2020

SBCC Members Present: William T. (“Tim”) Shaw (Chairman), Derek Abbott (Town Council Liaison), Jessica Rich (Secretary), Carl Bittenbender, Thomas Barletta

SBCC Members Remote Access: All, due to temporary COVID-19 procedures

SBCC Members Not Present: None

Other Attendees: Chief of Police Jason Lovins, reporter from Coastal Point newspaper

The posted agenda for this meeting listed six agenda items. These minutes track those items:

1. **Meeting called to order.** 2:01pm by Chairman Shaw.
2. **Discussion and vote to approve meeting minutes from August 21st meeting.** Derek Abbott made a motion to approve the meeting minutes, which were seconded and approved unanimously by the Committee.
3. **Review of code changes proposal on animals.** Chairman Shaw opened the discussion by inviting comments from Chief Lovins on the proposed code changes, which had been circulated prior to the meeting. Chief Lovins expressed the view that the code needs only a few modest changes to address problems that have arisen with respect to animals: (1) a new provision prohibiting a pet owner from allowing or permitting the pet to damage property of another [see Section 30-7(c) of circulated draft]; (2) a new provision prohibiting a pet owner from allowing or permitting the pet to bark, whine, or otherwise make noise excessively in disturbance of others [see Section 30-7(d) of circulated draft]; and (3) amendments to change the enforcement scheme from criminal to civil, reflecting concerns about the sanctions and burden of proof in criminal cases. Chief Lovins also stressed that any code changes should reflect actual and not hypothetical problems in the community, and that all code requirements should be realistically enforceable by the SB police.

Chairman Shaw then made a motion to change the enforcement scheme from criminal to civil, which was seconded and approved unanimously by the Committee. Chairman Shaw also asked Derek Abbott and Jessica Rich to develop language to implement this change, and asked all Committee members to send suggested edits to him on the full draft. Chairman Shaw said he would incorporate the changes into the draft, recirculate it, and potentially schedule another meeting in November.

- 4. Review of new procedures for readings and document edits prior to Council voting.**
Chairman Shaw discussed the procedures for readings and document edits, which are summarized in a document circulated prior to the meeting. He also alerted the Committee that various SB officials are reviewing portions of the SB code for consistency, and may recommend changes for the Committee to consider throughout the year.
- 5. Public Participation.** Chairman Shaw invited comment from members of the public, but none were offered.
- 6. Adjournment.** 2:49pm by Chairman Shaw.