

SUSPENSION AND BANNING PROCEDURE

1. Verifiable aggressive dog.
 - a. We need to know the owner's name and address to mail them notices.
 - b. Suspension and or Banning.
 - I. First offense – warning (verbal or written).
 - II. Second offense (same dog within 90 days)- 1 week ban from all dog parks.
 - III. Third offense (same dog within 180 days) – 1 month ban from all dog parks.
 - IV. Fourth offense (same dog within 365 days)- 6 month ban from all parks and demonstration of successful completion of dog obedience class.
 - V. Fifth offense (same dog, no time limit) – permanent ban of dog.
2. Banning of Person for disorderly conduct or violent behavior.
 - a. We need to know the person's name and address to mail them notices.
 - b. Suspension and or Banning of Person.
 - I. First Offense within one year- Evaluate for potential criminal charges to be filed at Commissioner or by Park Police (if offense committed within their presence or view). 1-30-day suspension based on Facility Manager discretion.
 - II. Second offense within one year- Evaluate for potential criminal charges to be filed at Commissioner or by Park Police (if offense committed within their presence or view). 31-180-day suspension based on Facility Manager discretion.
 - III. Third offense within one year- Evaluate for potential criminal charges to be filed at Commissioner or by Park Police (if offense committed within their presence or view). 181-365-day suspension based on Deputy Park Director discretion.
 - IV. Fourth offense -no time limit- Evaluate for potential criminal charges to be filed at Commissioner or by Park Police (if offense committed within their presence or view). 366 – lifetime ban; based on Park Director discretion. Also, can include first offenses involving the use of weapons, e.g., knife, firearm, etc.
3. Other General Criminal Conduct –
 - a. Penalty should be related to the gravity of the offense.
 - b. Criminal conduct should always be handled by the police.
 - c. If a misdemeanor committed within the officer's presence or view occurs, officer can immediately arrest.
 - d. If a felony or domestic violence matter, then they can arrest if they have probable cause but did not see the offense.
 - e. Civilians may go to Commissioner and compete an Application for a Statement of Charges.
4. Administrative Hearing Right regarding Suspension or Banning.

- a. **Level One- SUSPENSION for 30 days or less:** Written Order from Authorized Commission employee advising citizen that he/she and/or his/her dog is SUSPENDED. Advise of Appeal Process.
Appeal Process- may write letter to **Facility Director** explaining why he or she should not be SUSPENDED.
- b. **Level Two- SUSPENSION for 31 days – 180 days:** Written Order from Authorized Commission employee advising the citizen that he/she and/or his/her dog is SUSPENDED. Advise of Appeal Process.
Appeal Process - informal hearing before **Area Division Chief** with right to appeal to Deputy Parks Director.
- c. **Level Three- SUSPENSION for 181-up to, but not including a permanent banning:** Written Order from Authorized Commission employee advising the citizen that he/she and/or his/her dog is SUSPENDED. Advise of Appeal Process.
Appeal Process - informal hearing before **Deputy Parks Director** with right to appeal to Parks Director.
- d. **Level Four- Permanent BANNING-** Written Order from Authorized Commission employee advising the citizen that he/she and/or his/her dog is BANNED. Advise of Appeal Process.
Appeal Process - formal, on the record hearing before the **Area Division Chief, Deputy Director, and Parks Director**. This is a formal, on the record hearing where the Petitioner and the Agency may call witnesses and introduce evidence to support their case. The Administrative Procedure Act applies. The Petitioner may elect to be represented by an attorney. The Commission should be represented by the Office of the General Counsel. Administrative Appeal to Circuit Court for the County where the incident occurred.