

## Couple wants city to ban pit bulls

By Chris Paschenko  
The Daily News

Published January 11, 2009

SANTA FE — Beneath a stick marker and freshly tilled earth in Bert Roberts' backyard rest two beloved family dogs. Both pets met their demise when a neighbor's pit bull escaped its confines, their owners said.

Distraught after 10 years of loving care for Prissy, a Chihuahua, and Lucky, a fox terrier, Bert Roberts approached Santa Fe Mayor Ralph Stenzel and city council members for help.

"We're trying to have some ordinance in Santa Fe that prohibits pit bulls in the city limits," Roberts said.

The city broached the idea before, City Manager Joe Dickson said, after consulting with the city's attorney. State statute apparently prevents a breed-specific ban, Dickson said.

A state legislator reportedly in November asked Texas Attorney General Greg Abbott to clarify the law, saying it needs further interpretation on whether the language prohibits municipalities from banning breeds.

Stenzel said he is interested in what the attorney general has to say. The idea also warrants discussion among the council and residents, Stenzel said.

Both dogs were attacked Dec. 27. Prissy disappeared early in the day after the Roberts, just as they always did, let her outside to go about her business. A neighborhood search for her was unsuccessful until they found her mortally wounded at their veterinarian's office in Texas City, the Roberts said.

The Roberts suspect a neighbor took Prissy there and didn't tell them.

Before Prissy's discovery, Lucky went outside with Roberts' husband, Cliff, later in the day. He also disappeared as Cliff Roberts headed to his workshop. He found Lucky dead near a bush about 2 p.m. and then saw a pit bull coming toward him.

"She backed me up against my tree," Cliff Roberts said. "I hollered at her. She was threatening and showed her teeth. Her whole front was bloody. I didn't have sense enough to get my gun."

A county animal control officer cited the dog's owner for allowing the pit bull to roam loose, having no proof of rabies vaccination and no county license, said Kurt Koopmann, a spokesman for the Health District.

Officials are reviewing the incident to determine whether the pit bull should be declared a dangerous dog, which would require the owner to restrain the dog, obtain liability insurance and post a dangerous dog sign.

"What would have happened if it had happened when my grand babies were here?" Bert Roberts said.

Even if the city banned pit bulls, Stenzel questioned whether dogs present before a ban would be grandfathered and how the city could enforce the rule.

"I don't see how all of the sudden everybody with a pit bull would have to get rid of it," Stenzel said. "You don't want to over-regulate, but you want to keep safety of people in the city under consideration, too."

---