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Kennel owner given barking orders

By Oksana Buhel
Vague requirements for licenses, and an "unusual" turn of events forced Town of Halton Hills councillors to be both lenient and firm with an Acton kennel owner who violated two separate By-laws.
The municipal building and By-law enforcement department is considering charges against Dublin Line resident Maurizio Bartucci for a noise By-law infraction after neighbors complained about the "barking, crying

and moaning" of Bartucci's dogs.
Keld Lysholm, Bartucci's neighbor, played a tape recording for councillors to hear "the noises we have to put up with."
Lysholm's wife, Emily, added the yelling of the dog-keepers was "incredible." "They're always yelling at the dogs - 'back off,' 'get down,' 'shut up,'" she complained.
The second By-law infraction was the proximity of the kennels to Bartucci's property line. According to regulations set out by the town in 1981, a kennel must be 100 feet from the property line. Bartucci's kennel is 72 feet from Lysholm's property and 38 feet from another neighboring property.
Bartucci insisted proximity was not the problem. "No one ever mentioned property lines before," Bartucci insisted. "Now some neighbors complain about the noise and you bring up property lines."
Bartucci, who has operated the kennel for 13 years, added "every inspector known to man has snoopied around this house" since the kennel was built, but the violations were not mentioned until Sept. 29 of this year.
In a procedure which Stein called "unusual," Bartucci was given his license a year before he received a building permit.
Other than the setback violation of the structure, the investigation also determined the runs for dogs were not fenced in by the required

solid board fence with a minimum height of 4 feet, and three fenced runs do not comply with the 100 foot setback requirement.
Bartucci was advised by Ron Stein, municipal law enforcement officer, that his kennel license would be revoked if he did not immediately dismantle the inadequately-sized runs, create temporary solid fencing and construct a new facility which complies with the setback requirements, within five weeks.
If Bartucci does not comply, council can either revoke his license or charge him for the violations.
Bartucci announced Monday he was selling his house and asked councillors to overlook the violations until the house was sold. In the meantime, Bartucci promised, he would "take care of the noise problem" by constructing an insulated plywood wall which would completely enclose the dogs.
Councillors voted to overlook setback violations until Jan. 1 with the stipulation Bartucci must make a "realistic attempt" to resolve the noise problem. If, in that time, the house is not sold, council will consider further action.
Vague kennel license requirements were also questioned throughout the meeting and staff was directed to make the By-law more specific in the description of adequate facilities for dogs, and the maximum number of dogs at a kennel.

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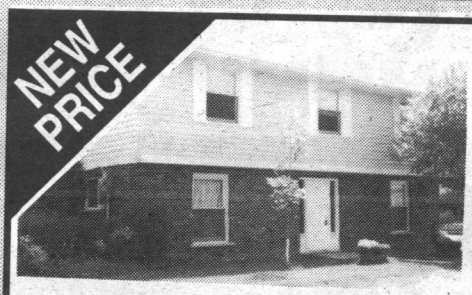
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