



Town of Bristol

Town Administrator

P.O. Box 249

Bristol, VT 05443

(802) 453-2410

townadmin@bristolvt.org

www.bristolvt.org

November 30, 2022

**** CERTIFIED MAIL ****

Daniel Shepard
3031 S. Route 116 Road
Bristol, VT 05443

Dear Daniel Shepard:

We have received reports of several instances regarding an on-going problem with your dog roaming at large, exhibiting aggressive and vicious behavior, and it remains unregistered.

Section 125-5 of the Bristol Dog Ordinance (copy enclosed) specifies that dogs running at large is a violation of the Ordinance. Section 125-2 of the Ordinance defines a viscous dog as one that "... causes reasonable fear of bodily injury by attacking or threatening to attack any domestic animal or any person ..." Running at large and the behavior of a viscous dog are defined as nuisances, which are prohibited in Section 125-4 of the Ordinance. Both of these allegations are a serious concern. **You are strongly advised to take immediate measures to secure your dog(s).**

In addition, no dogs are currently registered under your name or at that address, which is in violation of Section 125-3 of the Ordinance. Failure to register the dogs will result in enforcement in accordance with Section 125-15 of the Ordinance.

Section 125-9 of the Ordinance requires that the Selectboard conduct a hearing within seven days of the complaint being filed. This letter serves as official notice that your dog is in violation of the Town of Bristol Dog Ordinance and that a hearing has been scheduled for **Monday, December 5, 2022, at approximately 7:00pm**, at Holley Hall, 1 South Street. You are encouraged to be present or provide information in advance to represent you. The meeting starts at 7:00pm, but there will be some standard items on the agenda before this. These will immediately follow those.

The Selectboard will consider penalties or other remedies under the Town of Bristol Dog Ordinance and State Statutes for failure to control your dog. You will be provided an opportunity to provide testimony on the matter. The complainant, her family, and any other witnesses will also be provided an opportunity to present testimony at the hearing.

Daniel Shepard
November 30, 2022
Page 2 of 2

Please contact me at 453-2410 or townadmin@bristolvt.org if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Valerie Capels". The signature is written in a cursive, flowing style.

Valerie Capels
Town Administrator

Enc.

C: Judy Mayer (via e-mail)
Bristol Police Department (via e-mail)

Bristol Town Administrator

From: Turner, Joshua <Joshua.Turner@vermont.gov>
Sent: Monday, November 28, 2022 5:49 PM
To: Bristol Town Administrator
Cc: Nason, Bruce; Bristol Clerk
Subject: Mayer/Shepard Animal Complaint 22BR003452
Attachments: Animal complaint.pdf; Licensing Violation Warning.pdf; Vicious Dog Warning.pdf; Municipal Complaint.pdf

Valerie,

I have completed issuance of violations related to the attached animal complaint originating from Judith Mayer of Harvey Road.

Mrs. Mayer was issued a first offense warning for failure to license her dog. She said she would do so promptly.

Daniel Shepard was issued a first offense warning for violation of the vicious dog provision of the ordinance due to the minor injury caused to Mrs. Mayer's dog. He was also issued a municipal complaint (4059581) for a 2nd offense of violating the dog at large provision of the dog ordinance. His first recorded violation of "dog at large" occurred on 5/29/2022 (22BR001578 and warning number W70025431). Mr. Shepard was unsure if his dog was still registered. I advised him to reach out to Sharon to check and if not, to register the animal. Mr. Shepard was also hand delivered a copy of the dog ordinance, in entirety, for his review.

Mr. Shepard reported the dog is never outside alone. He was not home at the time of the latest incident. The dog was outside with his partner, Tanya. Tanya did check in with Mrs. Mayer after the incident to see if the dog was okay. Mrs. Mayer consulted with her veterinarian via phone and they advised her the bite was likely okay, due to swelling subsiding on its own, and an appointment was not necessary at this time.

I advised both Mr. Shepard and Mrs. Mayer that after I handled the issuance of ordinance violations, I would be sending this back for further consideration by yourself or the select board. I also alerted Mr. Shepard that he may receive a letter from you or the select board regarding the incidents and to look out for it.

Please let me know if I can be of further assistance.

Sincerely,

Joshua Turner
Police Officer
Bristol Police Department
72 Munsill Avenue
Bristol, VT 05443
(802) 453-2533



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Bristol Town Administrator

From: Mayer, Judy <jmayer@middlebury.edu>
Sent: Tuesday, November 29, 2022 11:00 AM
To: Bristol Town Administrator
Subject: FW: Dan Shepard Dog Complaints
Attachments: Animal Complaint by Judy Mayer against Dan Shepard 11-27-22.pdf; Amy Jones 5-29-22 Dog Complaint.jpg; Judy Mayer 5-29-22 Dog Complaint.jpg

Hi Valerie,

I filed a 2nd animal complaint yesterday about our next door neighbor's dog that has charged us 4 times, the last time was on Sunday, 11/27/22, when it bit my dog on my front step when I tried to take her out for a walk. Previous emails I sent to the town clerk are below, and copies of the complaints are attached. The responding police officer, Josh Turner, told me last night that he issued Dan Shepard a 2nd animal complaint and a 1st Vicious Dog warning. My question to you is what is the protocol followed when the town is faced with a dog that attacks nearby people and animals. Josh mentioned it goes to the Selectboard, but I don't have a full understanding of the steps that will be taken to make sure my family is safe. We have repeatedly asked the Shepards to keep their dog on a leash, but they only leash it sometimes. And other times it is loose. I would like to know what my rights are in this situation, and what steps does the town follow in addressing the problems of a vicious dog. I couldn't find this on the Town of Bristol website.

Thank you,

Judy Mayer
21 Harvey Road
Bristol VT 05443
802-382-7611

From: Mayer, Judy
Sent: Monday, November 28, 2022 9:10 AM
To: clerk@bristolvt.org
Cc: bruce.nason@vermont.gov; joshua.turner@vermont.gov; matthew.collins@vermont.gov; andrew.graham@vermont.gov; Major, Michael <michael.major@vermont.gov>
Subject: RE: Dan Shepard Dog Complaints

Hi Bristol Town Clerk and Bristol Police Department,

Attached is a formal complaint against Daniel Shepard, 3031 S. 116 Road, Bristol, VT 05443, whose dog attacked my leashed dog, Roxi, yesterday morning when I tried to leave my house to take her for a walk. We had barely cleared the house and my daughter's car parked immediately out front, when their dog ran incredibly fast towards us. I turned and ran back to the house but their dog met us on our front walkway 6-8 feet in front of our front door and bit Roxi on the back. Due to my loud screaming, which seems to bother it, it turned and left. My dog had a 3-4 inch area of swollen tissue on her side where the dog bit her but it was not pronounced this morning. The speed that this dog was running to cross all the way across our wide lawn in the time it took us to run 10 feet is incredible. **This is a dangerous dog!!**

Please present this complaint to the town board and **please file a police report**. My previous complaints are also attached and below for the history.

Thank you,

Judy Mayer
21 Harvey Road
Bristol, VT 05443
802-382-7611

From: Mayer, Judy
Sent: Sunday, May 29, 2022 11:07 AM
To: clerk@bristolvt.org
Cc: Amy Jones <a.skogstrom@yahoo.com>; bruce.nason@vermont.gov; joshua.turner@vermont.gov; matthew.collins@vermont.gov; andrew.graham@vermont.gov; michael.major@vermont.gov <michael.major@vermont.gov>
Subject: Dan Shepard Dog Complaints

Hi Bristol Town Clerk,

Attached are two formal complaints against Dan Shepard, 3031 S. 116 Road, Bristol, VT 05443, whose dog (with a history of aggression that had lunged at my husband in our garage in the past), came on to our property this morning and charged at my sister. If it wasn't for our loud screams and her holding a long rake between us and the dog, she would likely have been bitten. He has been left loose since Dan moved into this house and the dog has lunged at a guest of ours car when she tried to get out, and has lunged at our dog in the past. But today was the worst aggression we've seen and something must be done. The officer that my sister and my husband spoke with this morning said that he would file a report when he received a copy of our complaints. We were so upset that I didn't get his name, so I've copied all the officers on the website. If we could please have a copy of the police report, we would very much appreciate it. We are seeking legal counsel about this situation because we can't even walk on our own property without being harrassed by their dog.

Thank you,

Judy Mayer

Sent from [Mail](#) for Windows

TOWN OF BRISTOL

ANIMAL COMPLAINT FORM

DATE OF DOG INCIDENT: 11-27-2022 TIME: 7:30 AM

COMPLAINANT: Judy + Ed Mayer PHONE No.: 802-453-4757

ADDRESS: 21 Harvey Road, Bristol VT 05443

NATURE OF COMPLAINT: When I took my leashed dog out my front door for a walk, Dan Shepard's dog that lives next door took off running towards us. I tried to run back inside my house but -> (over)

Continue on back if needed

DESCRIBE INJURIES OR PROPERTY DAMAGE (if any): the dog bit my dog Roxi on the back. Did not break the skin but there was a 3-4" area of swelling for 24 hours. Continue on back if needed

VICTIM: Judy Mayer

WITNESS(ES): Rachel Mayer

Address: 21 Harvey Rd

Address: same

Phone #: 802-382-7611

Phone #: 802-989-9759

DESCRIPTION OF DOG: BREED: Cane Corso SIZE: X-Large COLOR: brown

Other distinguishing features:

OWNER OF DOG: Danici Shepard ADDRESS: 3031 S 116 Rd Bristol VT 05443

COMPLAINANT SIGNATURE: [Signature] DATE: 11-28-2022

Section below for Town use

Was dog impounded: _____ Date: _____ Time: _____

Was dog licensed: _____ Tag #: _____

Violations and penalties: 1st violation: written warning; 2nd violation: \$25; 3rd violation: \$50; 4th and subsequent violations: \$75 \$ 25.00

Impoundment Fees: 1st Offense: \$25; 2nd & Subsequent Offenses: \$40 Plus \$10 Per Day Boarding X _____ days \$ 0 TOTAL DUE: \$ 25.00

Date Paid: _____

REMARKS: 2nd offense of Dog at Large 125-5. Complaint # 4059581

Signed: [Signature] Title: Ofc. Joshua Turner

22BR003452

the dog was running so fast it met us about 6-8 feet from our front door and bit my dog. I screamed as loud as I possibly could which seemed to scare the dog last time it attacked us and it turned around and ran back towards their house. That night my dog had a swollen area on her back but no broken skin. I am newly recovering from ankle surgery and should not be running but I was terrified given the speed which this dog with a history of aggression was running. The last time it attacked us, it came toward us slowly working up his aggression, growling and kicking the ground. This time it was an immediate full-on run. We should not have to live in fear on our own property. Something must be done.

**VERMONT CIVIL VIOLATION, FISH AND WILDLIFE
VIOLATION, MUNICIPAL VIOLATION**

<input type="checkbox"/> CDL		Form 500 Rev. 3/2019
License State VT	4059581	<input type="checkbox"/>

Driver License Number **51415825** Hunting/Fishing/Trapping License Number

Defendant Last or Organization Name **Shepard** First **Daniel** Mid. Initial **E**

Defendant's Current Mailing Address **3031 S 116 Rd.** Home Phone **802-343-1699**

City **Bristol** State **VT** Zip Code **05443** Business Phone -

Date of Birth **8-1-74** Male Female Corp/Org Other Place of Birth Height **5'10"** Weight **220** Hair Eyes

Vehicle or Boat Reg. number: State Year Make Color Model

Violation Date **11-27-2022** Time **7:30am** Municipality **Bristol**

Highway Place or Landmark **S 116 / Harvey Lane**

Defendant did then and there commit the following acts in violation of Vermont /local law:

Dog running at large - 2nd offense

Alcohol Lev. **0%** Actual Speed **0** MPH Posted Limit **0** MPH Accident Fatality Seat Belt Viol.

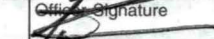
Commercial Vehicle Hazardous Material Municipal Ordinance **Dog Ordinance 125-5**

In violation of V.S.A. § 49 C.F.R. § Violation Code

PENALTIES	If you plead DENIED and the State proves the violation, the penalty must be within the penalty range. Commonly, the waiver amount plus \$65.00 in court costs are assessed.	POINTS 0	If you plead ADMITTED or NO CONTEST , you may pay the waiver amount instead of appearing in court. WAIVER AMOUNT \$15.00
		PENALTY RANGE	
		MINIMUM \$ 0	
		MAXIMUM \$ 25.00	
		RESTITUTION (F&W) +	

I have just and reasonable grounds to believe the person named above committed this violation.

Delivered To Defendant, Reg. Agent, or Corp. Officer) Date Served **11-28-22** In Hand U.S. Mail

Officer No. **A4312** Officer Name (printed) **Joshua Turner** Officer Signature 

Dept. No. **0103** Department Name **Bristol Police** Related criminal charge

Parent or Guardian Last Name First Name

Street Address City State Zip Code

Servicemembers' Civil Relief Act Declaration: Signed under penalty of perjury, I state:
 Defendant said he/she is NOT on active duty in the U.S. armed forces.
 Defendant is under 17 years of age.
 Defendant is a business or corporation.
 Defendant said he/she IS on active duty or is scheduled to be on active duty in the U.S. armed forces.

Officer Signature:  ORIGINAL

W70035600
Bristol Police Department WARNING

LICENSE # 31713323		STATE VT	
LAST NAME/ORGANIZATION Mayer		FIRST Judith	MI
STREET ADDRESS 21 Harvey Rd			
CITY Bristol		STATE VT	ZIP 05443
DOB 06/18/1956	REG #		STATE
YEAR	MAKE	MODEL	COLOR
VIO. DATE 11/28/2022	TIME 14:28	CITY/TOWN Bristol Town	
HIGHWAY		PLACE/LANDMARK 3031 S 116 Rd, Bristol, VT, 05443	
IN VIOLATION OF: Bristol - Dog License Required - 1st Violation: Regulations of Canines 125 (3)			
DETAILS OF OFFENSE: Dog not licensed.			
OFFICER/TROOPER SIGNATURE <i>Joshua Turner</i>		Case/Incident number: 22BR003452	
"Your Safety is Our Business"			

W70035598
Bristol Police Department WARNING

LICENSE # 51415825		STATE VT	
LAST NAME/ORGANIZATION Shepard		FIRST Daniel	MI E
STREET ADDRESS 3031 S 116 Rd			
CITY Bristol		STATE VT	ZIP 05443
DOB 08/01/1974	REG #		STATE
YEAR	MAKE	MODEL	COLOR
VIO. DATE 11/28/2022	TIME 14:28	CITY/TOWN Bristol Town	
HIGHWAY		PLACE/LANDMARK 3031 S 116 Rd, Bristol, VT, 05443	
IN VIOLATION OF: Bristol - Vicious Dogs Prohibited - 1st Violation: Regulations of Canines 125 (6)			
DETAILS OF OFFENSE: Canine attacked neighbors dog causing injury.			
OFFICER/TROOPER SIGNATURE <i>Joshua Turner</i>		Case/Incident number: 22BR003452	
"Your Safety is Our Business"			

TOWN OF BRISTOL

ANIMAL COMPLAINT FORM

DATE OF DOG INCIDENT: 5-29-22 TIME: 9:00 AM

COMPLAINANT: Dog charged to Attack me & my sister PHONE No.: 480 239 4218

ADDRESS: 21 Harvey Rd Bristol VT 05443

NATURE OF COMPLAINT: Neighbors dog charged at me and my sister on her property as we were going to weed our garden but stopped as we screamed & screamed. It

Continue on back if needed Paced as we continued to I had a garden Rack held out to prevent him scream.
DESCRIBE INJURIES OR PROPERTY DAMAGE (if any): None from lunging at me

Near heart Attack

Please contact the police for neighbors information

Continue on back if needed call Police and I will request a copy of report,

VICTIM: Amy Jones

WITNESS(ES): Judy Mayer & Edmund Mayer

Address: 46 Monarch Ct Middlebury VT 05753

Address: Edmund Mayer

Phone #: 480 239 4218

Phone #: 802 - 382 - 7611

DESCRIPTION OF DOG: BREED: Mastive SIZE: large COLOR: gray
very unusual Breed Cane Corso / Bull Mastive

Other distinguishing features: Mastive

OWNER OF DOG: Don Shepard ADDRESS: Next door neighbor

3031 S 116 Rd Bristol VT 05443

COMPLAINANT SIGNATURE: [Signature] DATE: 5-29-22

Section below for Town use

Was dog impounded: _____ Date: _____ Time: _____

Was dog licensed: _____ Tag #: _____

Violations and penalties: 1st violation: written warning; 2nd violation: \$25;
3rd violation: \$50; 4th and subsequent violations: \$75 \$ _____

Impoundment Fees: 1st Offense: \$25; 2nd & Subsequent Offenses: \$40
Plus \$10 Per Day Boarding X _____ days \$ _____

TOTAL DUE: \$ _____

Date Paid: _____

REMARKS: _____

Signed: _____ Title: _____

TOWN OF BRISTOL

ANIMAL COMPLAINT FORM

DATE OF DOG INCIDENT: 5-29-2022 TIME: 9:00 AM

COMPLAINANT: Judy Mayer PHONE No.: 802-382-7611

ADDRESS: 21 Harvey Road, Bristol VT 05443

NATURE OF COMPLAINT: Next door neighbor's dog with a history of aggression charged my sister and I when we tried to weed our garden. If ~~du~~ we didn't have a rake with us

Continue on back if needed can he would have bitten my sister. He also charged my husband in our garage once before.

DESCRIBE INJURIES OR PROPERTY DAMAGE (if any): ∅

throat hurts from screaming

Continue on back if needed

VICTIM: myself, Amy Jones WITNESS(ES): Edmond Mayer Rachel Mayer

Address: same Address: same

Phone #: 802-382-7611 Phone #: _____

DESCRIPTION OF DOG: BREED: Cane corso SIZE: huge COLOR: dark grey brown

Other distinguishing features: _____

OWNER OF DOG: Dan Shepard ADDRESS: 3031 S 116 Rd Bristol VT ⁰⁵⁴⁴³

COMPLAINANT SIGNATURE: Judy Mayer DATE: 5-29-22

Section below for Town use

Was dog impounded: _____ Date: _____ Time: _____

Was dog licensed: _____ Tag #: _____

Violations and penalties: 1st violation: written warning; 2nd violation: \$25;
3rd violation: \$50; 4th and subsequent violations: \$75 \$ _____

Impoundment Fees: 1st Offense: \$25; 2nd & Subsequent Offenses: \$40
Plus \$10 Per Day Boarding X _____ days \$ _____

TOTAL DUE: \$ _____

Date Paid: _____

REMARKS: _____

Signed: _____ Title: _____