

**ANIMAL CONTROL BOARD
COUNTY OF MAUI**

Cameron Center
Room 1
95 Mahalani Street
Wailuku, Maui, Hawaii

January 7, 2016
9:00 a.m.

MINUTES

I. CALL TO ORDER

The meeting was called to order at 9:10 a.m. by Chair Vargas

II. ATTENDANCE/QUORUM

A. ATTENDANCE

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| Members Present: | Anthony Vargas, Jr. Doreen Forsberg Rabbi Larry Winer Larry Shapiro |
| Staff Present: | Kimberly Ferguson, DHHC Jerrie Sheppard, Deputy Corporation Counsel |
| Maui Humane Society | Martin Davis, Humane Enforcement Officer (HEO) |
| Others Present: | Janice Hill Michael Hill Jo Anne Johnson Judy Yamanoue Hokuau Pellegrino Victor Pellegrino Pamela Dickson |

III. PUBLIC TESTIMONY

A. Janice Hill

Ms. Hill provided testimony related to the Judy Yamanoue appeal on this agenda. Ms. Hill stated she was mother of Alana Pellegrino, grandmother of Kawaihua and mother-in-law of Hokuau Pellegrino. (Hokuau is the person bitten by Judy Yamanoue's dog, Nalu.) Ms. Hill stated that Nalu is a vicious dog that does not

know any better but the board does and encouraged the board to uphold the dangerous dog deeming.

Ms. Hill then proceeded to read a statement written by her daughter Alana Kaopuiki Pellegrino. In her statement, Mrs. Kaopuiki Pellegrino described the challenges her family faces as a result of the incident. She also described how the family lives in fear that another attack may occur.

B. Victor Pellegrino

Mr. Pellegrino provided testimony related to the Judy Yamanoue appeal. Mr. Pellegrino stated he was the father of Hokuau (the person bitten by Ms. Yamanoue's dog, Nalu.) He also prefaced his statement by saying that the Yamanoue's are their neighbors and that what he would say doesn't reflect on them as people, but that he would be speaking about the dog.

Mr. Pellegrino gave an account of what he witnessed on the day of the attack. He stated that he was called by Hokuau after Hokuau was bitten, and rushed to the aid of his son. Mr. Pellegrino stated that Hokuau was delivering a gift to a sick neighbor when the unprovoked attack by the Yamanoue's leashed dog occurred. Mr. Pellegrino also stated that the ordeal from the dog bite has caused an emotional disaster for his son and his entire family. Mr. Pellegrino stated that it will be a long time before his son will be able to use his hand and to resume his normal daily activities and that Hokuau's work at Kamehameha Schools has also been affected. Mr. Pellegrino also stated that Hokuau has had to hire a farm hand to do the work which Hokuau used to perform prior to the attack.

Mr. Pellegrino stated that the owner's pit-bull has shown a history of violence. He recalled an incident which he witnessed Mrs. Yamanoue being pulled to the ground by her leashed dog. At the time of the incident, the dog was barking and coming towards him. Mr. Pellegrino stated he was torn, as he doesn't feel comfortable with the current situation regarding the Yamanoue's dog. Mr. Pellegrino requested that the board give serious attention and consideration to his testimony.

IV. APPROVAL OF MINUTES

- A. Chair Vargas entertained a motion to approve the minutes. Motion moved by Vice Chair Forsberg, seconded by Member Winer. All members present at the November 5, 2015 meeting were in favor of approving minutes. Motion carried.

V. OLD BUSINESS

- A. Approval of Finding of Facts/Conclusions of Law for Dennis Hall Appeal
Chair Vargas entertained a motion to accept the Summary Disposition. Motion moved by Vice Chair Forsberg, seconded by Chair. All members present at the November 5, 2015 meeting were in favor of approving minutes. Motion carried.

VI. NEW BUSINESS

- A. JUDY YAMANOUE requesting an appeal of the Dangerous Dog Designation placed on her dog "NALU"

Judith Ogawa Yamanoue stated her full name and was sworn in by Chair Vargas. Mrs. Yamanoue read her written statement (attached as Exhibit 1) out loud to the board.

Deputy Corporation Counsel Sheppard asked Chair Vargas to refer back to the formal proceedings, starting with the appellant being advised of her right to legal counsel, etc.

Chair Vargas read the complaints and accusations against Judy Yamanoue and her dog Nalu.

Count 1: On or about December 11, 2015, in the County of Maui, State of Hawaii, "NALU", a brown and black in color Lab Mix, License Number 10-5648, owned by JUDY YAMANOUE, of 219-G W. Waiko Road, Wailuku, Hawaii, attacked a person, while off the owner's property, causing serious bodily injury to a person, thus being designated as a "dangerous dog" as defined under Maui County Code 6.04.046A.1.a.

Appellant Judy Yamanoue appeared and stated that she understood the charge. Mrs. Yamanoue was asked by Chair Vargas if she was aware of the right to legal counsel. Mrs. Yamanoue acknowledged her right to counsel and elected to appear without Counsel. Mrs. Yamanoue admitted that the incident occurred on her property. Chair Vargas stated that would be clarified throughout the proceedings.

Mrs. Yamanoue admitted to the charge but clarified that the incident occurred on her property, not off her property. Mrs. Yamanoue was then asked if she understood the violations MHS alleges against her. She stated that she understood the allegations and she also understood she had the right to enter a denial plea. Mrs. Yamanoue was asked if she understood that if the board accepts her admission that she would be found responsible for her dog and that she must comply with Section 6.04.046 of the Maui County Code and may face penalty under 6.04.110 of the Maui County Code.

Mrs. Yamanoue admitted that her dog did it but at the same time she was asking that the charge be modified to show her dog was on her property at the time of the incident. All members and appellant agreed to amend the charge. Chair Vargas amended the charge, and read the revised charge to Mrs. Yamanoue as follows:

Count 1: On or about December 11, 2015, in the County of Maui, State of Hawaii, "NALU", a brown and black in color Lab Mix, License Number 10-5648, owned by JUDY YAMANOUE, of 219-G W. Waiko Road, Wailuku, Hawaii, attacked a person, while *on or off* the owner's property, causing serious bodily injury to a person, thus being designated as a "dangerous dog" as defined under Maui County Code 6.04.046A.1.a.

Mrs. Yamanoue admitted to the charge as revised. The Board found that the owner entered a knowing and voluntary admission and accepted Mrs. Yamanoue's plea and found her responsible for Count 1 of said complaint.

Mrs. Yamanoue then adopted the statement she previously read out loud to the board. She requested that Board consider any mitigating circumstances that may allow her to safely keep her dog.

Witness Pamela Dickson was present and sworn in by Chair Vargas. Ms. Dickson lives next door to Mrs. Yamanoue and also knows Hokuau Pelligrino and his family. Ms. Dickson stated she's known Nalu since he was brought home by the Yamanoue's and that to her knowledge Nalu has never been aggressive. She stated that the only time Nalu pulled Mrs. Yamanoue down was once when Mr. Pellegrino came up the road with a cart. She stated that perhaps Nalu didn't like the noise of the cart. Ms. Dickson stated that she believes Nalu would benefit from training. She stated that Nalu is a good watch dog, and is always locked up in the front yard and never loose. Ms. Dickson stated Nalu would bark and let them know when anyone is around, be it an animal or person. She also said Nalu has never been aggressive toward her and that Nalu was Mrs. Yamanoue's baby. Ms. Dickson asked that Nalu be allowed to run around in his own yard. She said the bite to Hokuau was an unfortunate incident.

Member Winer asked Ms. Dickson if Nalu was on a leash when the December 11, 2015, incident occurred. Ms. Dickson did not witness the bite to Hokuau. Mrs. Yamanoue responded that Nalu was on a leash controlled by her husband when Hokuau was bitten. She also stated that her husband was not present today to testify as he was in Japan. Member Winer asked if Mrs. Yamanoue ever walks Nalu and if she was able to control him. She answered yes to both questions.

Mrs. Yamanoue then stated that since the incident, she hasn't walked Nalu and would like to with a muzzle. Chair Vargas and Humane Enforcement Officer (HEO) Martin Davis provided clarification that allows Nalu to be walked on a leash with a muzzle.

Member Winer then asked how much Nalu weighs and Mrs. Yamanoue responded 45 lbs. He asked if Nalu had the ability to jump on a child while on a leash and Mrs. Yamanoue answered yes. Mrs. Yamanoue then stated in order to prevent further incidents, as a family, they decided to turn around immediately when walking Nalu if they ever encountered anyone or anything along the way as a preventative measure.

Ms. Dickson commented that Nalu is a good dog and asked if it would make a difference if he went to training of some sort. Chair Vargas indicated they would discuss training later.

Member Forsberg asked Ms. Dickson if she was present when Nalu pulled Mrs. Yamanoue to the ground during the previous incident, and she responded no.

Member Forsberg asked Mrs. Yamanoue how tall is the fence around her yard. Mrs. Yamanoue responded it is four feet tall. Member Forsberg asked if Nalu ever climbed up on the rock in her yard, which is depicted in the photos attached to the incident report from the Humane Society, to which Mrs. Yamanoue answered he never attempted to do so and that she thought he wasn't smart enough to do so. Member Forsberg asked how long they had the fence and Mrs. Yamanoue said it was about six years as they put it up when they got Nalu. Member Forsberg asked if the gate lock and latch work, and Mrs. Yamanoue responded that they do, and added that they just got those. Mrs. Yamanoue also stated there was a lock on the kennel in the garage as well.

Chair Vargas summarized Mrs. Yamanoue's requests to modify the orders from the Humane Society regarding conditions she must follow. Mrs. Yamanoue requests: 1) The owners be allowed to walk Nalu with a muzzle, and 2) The owners be allowed to let Nalu roam in the front yard with or without a muzzle.

Mrs. Yamanoue asked and was allowed to make a statement. She said the victim, Hokuau, and his family, her family, and Ms. Dickson, are all friends. She stated she feels so bad that this happened to Hokuau, and stated that the Pellegrinos have been so nice, yet at the same time she feels for her dog. She stated she understands how the Pellegrinos feel and that the hardest thing is that they're friends; this whole thing would be easier if they weren't all friends. Member Forsberg reiterated testifier Victor Pellegrino's statement that this is about the dog and the incident, not judgment of these friends and neighbors.

Member Shapiro voiced concern about the four foot height of the fence. Mrs. Yamanoue stated that as far as she knows Nalu has never attempted to jump over the fence. Member Shapiro stated his concern was that when the dog was in the yard it wasn't fully contained. He stated that dogs are unpredictable and with the current way the yard and fencing is structured the dog could get out.

Mrs. Yamanoue asked and was allowed to add another request: 3) The owners be allowed to let Nalu be loose in the yard with an adult present. Member Winer stated he had the same concerns as Member Shapiro and suggested that Nalu be attached to a tie out. Mrs. Yamanoue asked if having Nalu on a leash which was attached to a peg in the ground was an option.

Ms. Dickson asked if raising the fence height would be an option. Chair Vargas responded that would be discussed further. Member Forsberg asked Mrs. Yamanoue to explain what happened during the prior incident when she was dragged down, although she understood it was not part the case, what made Nalu pull her down? Mrs. Yamanoue responded that Victor Pellegrino was approaching her on a farm vehicle while she was walking Nalu and the dog went crazy. She said Nalu pulled her suddenly and unexpectedly and she fell, which resulted in some bruises.

Discussion regarding the farm vehicle ensued. Hokuau Pellegrino then clarified they owned the property on two different sides of the Yamanoue's and just purchased an additional property. Hokuau also stated that he wanted to clarify that the road is not owned by either the Yamanoue's or himself, it is an easement.

HEO Davis stated that he would like to give victim Hokuau Pellegrino an opportunity to speak. Member Forsberg commented that the date of MHS's paperwork regarding the insurance requirement was incorrect and should read January, 2016. HEO Davis acknowledged the error and confirmed it should be 2016.

HEO Davis presented a brief synopsis of the case: HEO Davis' office received a call on December 14, 2015 from Hokuau Pellegrino stating he was attacked by a dog on December 11, 2015 at about 1:00 p.m. in the afternoon while walking on the road near his home in Waikapu. HEO Davis received the report on the morning of December 15, 2015. HEO Davis then contacted Hokuau Pellegrino who relayed to him as Hokuau was walking on a road near the dog owner's home, which HEO Davis described as a long common driveway with three or four residences along it, Hokuau

saw Mr. Yamanoue walking his brown colored dog on a leash. This dog, later identified as Nalu, suddenly lunged at Hokuau, biting him on the left hand, which resulted in injuries that required over 20 stitches to close up the wound. Hokuau was transported by his father to the Emergency Room for that treatment. Through the investigation Mr. Pellegrino was able to positively identify the dog through a photo as Mrs. Yamanoue's dog Nalu as the dog who bit him.

At 9:00 a.m. on December 15, 2015, HEO Davis met with Mrs. Yamanoue at her residence. HEO Davis observed Nalu, and Mrs. Yamanoue confirmed that she was the responsible owner of Nalu, and that she was aware of the incident. HEO Davis stated he explained that he would be deeming Nalu dangerous per Maui County Code section 6.04.046.1.a because he had probable cause to believe that the dog had caused injury to a person while on or off the owner's property. Mrs. Yamanoue indicated that she understood and HEO Davis served Mrs. Yamanoue the dangerous dog notice and reviewed with her the requirements to house and keep the dog. HEO Davis stated that by the time he left that day, Mrs. Yamanoue had the dog secured in an appropriate kennel and everything has been in order since. He also stated that Mrs. Yamanoue has been very cooperative and has done everything he's asked of her.

HEO Davis advised the board that he had one witness, Hokuau Pellegrino, and he asked that Hokuau tell the board first hand what happened. Hokuau Pellegrino stated his name and was sworn in by Chair Vargas. Hokuau Pellegrino was asked to give an account of what transpired. Hokuau stated that he grew up with Aunt Judy (Mrs. Yamanoue) and Aunt Mela (Ms. Dickson) and was friends with both their sons. He stated he loves his neighbors he didn't feel like he wanted to go into too much else. Hokuau Pellegrino stated this was an accident and he thinks the most uncomfortable thing is dealing with the situation and injuries after the incident. He stated he is a hands-on person, he farms and works fulltime for Kamehameha, which requires typing, and that his job as a land specialist requires travel statewide as he manages conservation and agricultural lands. The injuries to his hand make performing the tasks of his farming and Kamehameha nearly impossible.

Mr. Pellegrino stated this has been a huge life changing experience for him although it may look minimal at this point, it is going to take about a year to a year and a half for hopefully full recovery. He stated he doesn't have full use of three fingers and can't bend them due to nerve damage and that the loss of skin has lessened the flexibility of his hand. He stated it is frustrating for him and he feels incapacitated however he is grateful that he has his hands and can talk, speak and write. He is grateful for what he has and doesn't want to make the situation more than what it seems, however it has been a major life changing factor for him. Hokuau Pellegrino stated that this year is going to be a tough one with all the therapy, and the things he can't do on the farm will be hard to deal with, and that he's expecting a second child as well.

Hokuau Pellegrino explained the reason he goes up to that street is, besides visiting with his neighbors, he has a wetland taro farm and the water is situated on three neighbor's properties above the Yamanoue's residence. He has no choice but to go up there and clean the ditch. He works with his neighbors to fix the dams. Member Winer asked if they have had to hire help on the farm and Hokuau Pellegrino responded yes. Hokuau stated that he went up there the very next day and thought he would be in fear but he was been able to deal with it. Hokuau Pellegrino stated

that he used to take his daughter there to instill with her the understanding of farming and taro's meaning. As he grew up, he had opportunities to go into the river and grow up on the land, and he wants his daughter to share those values and experiences. The saddest part of this entire thing is that, since the incident, his wife won't allow him to take his daughter up there and although he understands and respects that, it is a lifestyle that he doesn't want taken away from his daughter.

Member Winer commented that based on what he's heard, Hokuau Pellegrino would be an incredible role model for his daughter. Hokuau Pellegrino stated he was uncomfortable about the situation and he wanted to make it clear that he doesn't want the dog to be put down, although his family members may feel differently. Chair Vargas clarified that the board does not have the authority to order a dog put down. Chair Vargas then asked Hokuau Pellegrino if he'd befriended Nalu in the past. Hokuau Pellegrino responded that the bite was his first encounter with Nalu. Hokuau stated thinking back to the situation, as noting that he was the only one present at this hearing who was present at the incident, he did stop to say aloha to Mr. Yamanoue, but did not provoke the animal, it just lunged and was an unforeseen circumstance and it happened so fast.

Deputy Corporation Counsel Sheppard asked Hokuau Pellegrino and/or Mrs. Yamanoue describe how long the leash was that Nalu was on that day. Mrs. Yamanoue responded it was a regular leash, about six feet long. She stated according to her husband, Nalu was not at the end of the leash, but she doesn't know exactly how long it was. Hokuau Pellegrino responded that he couldn't recall. Deputy Corporation Counsel Sheppard then asked if the leash stayed in her husband's hand and Mrs. Yamanoue responded yes. Member Winer asked if the leash was one with a reel and Mrs. Yamanoue responded it was not. Hokuau Pellegrino responded he couldn't honestly say whether the dog got loose and he didn't think so but recalls Mr. Yamanoue trying to restrain the dog after the attack. Hokuau Pellegrino also said it's a small road so they were pretty close when passing. Deputy Corporation Counsel Sheppard asked if there was any growling or any other signals from the dog or if it was just out of the blue. Mrs. Yamanoue responded that her husband told her there was no advance sign that Nalu was going to lunge, he just did.

Hokuau Pellegrino stated the only thing he could think of when the attack occurred was that he had two bags of poi in his hand. Ms. Dickson commented that he saved the poi. Chair Vargas stated that it was obvious that it was an unfortunate incident but now the board is tasked with figuring out what to do to protect the general public and what kind of stipulations to order to allow the Yamanoue's to safely keep their dog. Member Winer asked both parties if either has consulted an attorney and both stated they are working it out amongst themselves.

Chair Vargas called for a recess to allow the board to deliberate at 10:15 a.m.

Meeting reconvened at 10:36 a.m. Board members, staff, MHS and Mrs. Yamanoue were present, along with the Pellegrinos and Ms. Dickson. The Board upheld the dangerous dog designation placed on Nalu. Chair Vargas stated the board has modified a list of conditions related to the safekeeping of Nalu and read the list (attached as Exhibit 2) out loud. Mrs. Yamanoue acknowledged her understanding of the conditions, and asked for clarification regarding windows and screens. Chair

Vargas provided an explanation and also clarified the modified condition 2.b. as follows:

"When confined outdoors, the dog shall be confined within a locked fenced area, consisting of a fully enclosed structure, with secure sides, top, and bottom, preventing the dog's head from protruding outside the confines of the structure and from which the dog cannot exit of its own volition. We require that you increase your fence height to 6' height; reinforce the bottom to prevent the dog's ability dig out; and place a "reverse return" tilted inwards at the top of fence (similar to the fences at jails), and Nalu must wear a muzzle while in yard. Also install a double gate, similar to those used at dog parks."

Chair Vargas suggested Mrs. Yamanoue consult with a fencing company which should be familiar with the type of fencing required by the board.

Mrs. Yamanoue advised the board that she took Nalu to obedience training a few years back and asked if that would suffice. Chair Vargas responded no, but she could take him there again if she chose to do so.

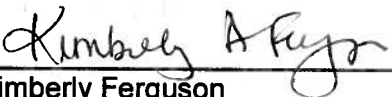
Mrs. Yamanoue was asked to acknowledge the conditions were provided to her in writing by initialing the conditions, and advised her that a copy would be sent to her via e-mail and U.S. Mail as well.

MHS was asked to perform compliance checks. Member Winer asked how many HEO's there are at MHS. HEO Davis responded there are some in training and he believes there are six of them right now.

VII. ADJOURNMENT

Chair Vargas motioned to adjourn the meeting. Motioned moved by Member Shapiro, seconded by Member Forsberg. All in favor, meeting adjourned at 10:55 a.m. by Chair Vargas.

Respectfully submitted:



Kimberly Ferguson
Secretary to the Animal Control Board

Maui County Animal Control Board
Dept. of Housing and Human Concerns
2200 Main Street, Suite 546
Wailuku, Hawaii 96793

Thank you very much for giving your time for this hearing.


My name is Judy Yamanoue, owner of Nalu. I adopted Nalu from the Maui Humane Society 6 years and 7 months ago. He was only about 7 pounds, they had him neutered and we brought him home. Since then he has been my "best friend". During this time, he has never been aggressive, attacked anyone or given me reason to believe that he would be deemed "dangerous". On the day in question, my husband was walking Nalu on a leash on our driveway. Hokuao Pelligrino, a family friend, was walking in the other direction to bring my neighbor some poi. He stopped to talk to my husband and extended his hand (I believe to pet Nalu) Nalu lunged at him. My husband disciplined Nalu and Hokuao called his dad on his cell and was taken to the ER.

We brought Nalu home and put him in our fenced yard and proceeded to the ER where we waited with Hokuao's mother. We left after being told by the Pelligrino family that Hokuao was going to have some test and they would be in contact (which to this day we have been). After we arrived home, the police officer came and we had a talk with him. On Dec 15th, I met with Martie Davis from the Maui Humane Society. At this time he went over with me the meaning of "dangerous dog" and many other provisions from the Maui County Hawaii Code of Ordinances. I have done my best to comply with his requests. Please refer to his report of which you have a copy. Also included in this report are pictures taken by Officer Davis.

I am here before you today to ask for an appeal to the Dangerous Dog Designations levied against my dog, Nalu. I ask that Nalu be allowed to

stay in the enclosed front yard area (pictures in report) with the gate locked. I also request that with his muzzle, I be allowed to walk him on our driveway. Nalu has always been in our fenced area or on a leash. He has never 'run loose'. At night he is in a cage with a 9 foot fence and a cover on top as requested by the Humane Society. Please refer to Officer Davis' report and photos. He responds to certain commands such as shake, high five, stay, don't eat yet, come, laydown, etc. He has always interacted well with my neighbors.

I appreciate your consideration of my requests. I assure you that I will make every effort to comply with your ruling. Thank you again.



Judy Yamanoue
Jan 7, 2016

DANGEROUS DOG CONDITIONS OF OWNERSHIP (MCC 6.04.046(C))

Animal Control Board Hearing Date: January 7, 2016

Dangerous Dog's Name: Nalu

Owner's Name: Judy Yamanoue

Owner's Address: 219 W. Waiko Rd. Wailuku, Hawaii 96793

Owner's Initials: JY Owner hereby acknowledges the conditions listed below were provided orally at the Animal Control Board's hearing held on the date listed above, and that Owner received a copy of this form.

ORDER

The Animal Control Board heard Owner's appeal of the dangerous dog deeming on the above listed date. The Animal Control Board's decision is to uphold the deeming of the dangerous dog named above. The conditions with which the Owner must comply are hereby ordered as listed in Maui County Code Section 6.04.046(C). Modifications to these conditions were / were not ordered by the Board. (Chair must initial any modifications made to below conditions if so ordered by the Board.)

1. Address.

- a. Animal control shall, at all times, have a record of the address of the real property where the dog is kept.
- b. The owner shall be responsible to notify animal control, in advance, of any change of address.
- c. The owner shall provide animal control with the express, written consent of the owner of the real property where the dog is kept, in the case where the dog owner is not the owner of the real property.

2. The owner shall restrict the dog's movement as follows:

- a. When confined indoors, the dog shall be confined in a structure that is not open to the public and is configured in a manner that the dog cannot exit the structure of its own volition. Screen doors and window screens shall not be considered proper barriers for preventing the dogs exit.
- b. When confined outdoors, the dog shall be confined within a locked fenced area, consisting of a fully enclosed structure, with secure sides, top, and bottom, preventing the dog's head from protruding outside the confines of the structure and from which the dog cannot exit of its own volition. *We require that you increase fence to 6' height; **
- c. When outdoors and outside of a locked fenced area meeting the requirements of Maui County Code Section 6.04.046 subsection C.2.b, the dog shall wear a muzzle and be attended to and kept on a leash not more than four feet in length with a tensile strength of at least three hundred pounds, held by, or attached to, a responsible person eighteen years of age or older.
- d. When in the bed of a truck, the dog shall wear a muzzle and be secured in a manner that prevents the dog from climbing or falling out of the truck bed.

** reinforce the bottom to prevent digging out; place a "reverse return" tilted in at top of fence, & dog must wear a muzzle while in truck bed*

EXHIBIT 2

3. Within ten days of the dangerous dog designation, the owner shall:
 - a. Post a sign or signs, of reasonable size, indicating "beware of dog" in a prominent and clearly visible place at the access to the real property where the dog is kept, and on the building or structure in which the dog is confined.
4. Within thirty days of the dangerous dog designation, the owner shall:
 - a. Permanently identify the dangerous dog by injecting into the dog an identification microchip using standard veterinary procedures and practices, which microchip shall include an identification number for the dog and the identification of the person performing the procedure to be registered with animal control.
 - b. Neuter or spay the dog at the owner's expense, unless medically contraindicated. In the event that the dangerous dog designation is being appealed, within thirty days of confirmation of the designation by the board, unless otherwise specified by the Board.
 - c. Procure and produce evidence to animal control of liability insurance in an amount not less than \$50,000 to cover the medical and/or veterinary costs resulting from potential future actions of the dog. The insurance policy shall provide that the policy shall not be canceled unless thirty days' written notice is first given to the Board.
5. Within six months of the dangerous dog designation, the owner shall, while accompanied by the dog, attend and complete training sessions conducted by an animal behaviorist, a licensed veterinarian, or other recognized expert in the field. Upon completion, the owner shall transmit documentation of completion to animal control. The owner shall be responsible for all costs associated with the evaluation and training ordered.
6. The owner shall produce proof of compliance with any of the conditions found in this subsection upon the request of the board, animal control, or any enforcement officer.
7. The owner shall notify animal control within twenty-four hours after the owner knows, or reasonably should know, that the movement of the dog was not restricted as required by Maui County Code 6.04.046 subsection C2., or behaved in a manner described in Maui County Code Section 6.04.046 subsection A.
8. Upon the death of a dangerous dog, the owner shall immediately notify animal control and make the body available for identification.
9. The owner shall advise animal control before selling or giving the dangerous dog away. The new owner will be given a dangerous dog notice, and shall be subject to all applicable laws. It is a violation of this law for any person to transfer ownership of a dangerous dog from such person to another person without compliance with this procedure.
10. The owner shall advise animal control of any claims or lawsuits resulting from further instances of attack by the dangerous dog.