

South Bend Animal Welfare Commission  
Hearing Minutes

July 22, 2021  
1815 Hours

County City Building  
4th Floor  
227 West Jefferson Blvd  
South Bend, IN 46601

Hearing Case Number 2021-08 City of South Bend v. Melanie Marosz (Order Issued July 12, 2021)

Animal Control Commission Members Present: Dr. Mariah Covey, Rebecca Strand, Karen Haun, Pam Wesolowski, and Barb Leavell

City Staff Present: Lindsey Cuellar -SBARC Shelter Manager, Tom Panowicz-Attorney for SBARC, and Dani Campbell Weiss-Commission Attorney

1. The hearing was called to order by Anne Carol Nash, the Hearing Officer at 1815 hours.
  - A. Hearing regarding Habitual Animal Offender residing at 1122 College Street, South Bend.
  - B. Respondent is Melanie Marosz.
  - C. File was opened in April 2015.
2. Service was made and accepted by Hearing Officer.
3. Tom Panowicz called Lindsey Cuellar to give testimony regarding the Citations and AWA's.
  - A. File on the Respondent was opened in April 2015.
  - B. Three (3) dogs were registered to Respondent.
    1. Noco a Border Collie, ten years old.
    2. Baby Girl a Jack Russell Terrier, four years old.
    3. Luna a Pit Bull Terrier, one year old.
  - C. Twenty-one (21) AWA's were given to Respondent between April 2015 to July 2021.
  - D. Twenty-four (24) Citations were given to Respondent between October 2017 to April 2021.
  - E. There are two bite cases on record by SBARC.
    1. At the end of 2017, dog was not put into proper bite quarantine.
      - a. Dog was not micro chipped or licensed with SBARC following the bite.
    2. Three months later another bite was reported to SBARC due to dog escaping the residence.
      - a. Proper bite quarantine was not followed again.
    3. In 2020 exactly one month apart two bite reports were received for Noco.
      - a. Noco was then quarantined at SBARC for the second bite,

due to owner not being able to keep him on the property.

F. Respondent has been issued the following.

1. Eleven citations for failure to vaccinate.
2. One for failure to restrain/running at large.
3. Three for failure to follow bite quarantine.

G. Several exhibits were given into evidence.

1. Exhibit one (1) was a Notice of Hearing, Affidavit of Service, and Certificate of Service.
2. Exhibit two (2) is SBARC's summary regarding the hearing.
3. Exhibit three (3) is Person View Report regarding the history of all dogs registered to this address.
4. Exhibit four (4) is an Animal View Report regarding Noco.
5. Exhibit five (5) is an Animal View Report regarding Baby Girl.
6. Exhibit six (6) is an Animal View Report regarding Luna.
7. Exhibit seven (7) are Animal Welfare Alerts with attached spreadsheet.
8. Exhibit eight (8) are the Ordinance Violation Citations with spreadsheet attached.

H. South Bend Animal Care and Control is asking the Commission for a label of Habitual Animal Offender with a minimum of five years prohibition.

I. City rests their case at this time.

4. Respondent, failed to appear.

5. The Commission discussed and voted on items listed below.

- A. The Commission was concerned due to Respondent's lack of dog ownership skills.
- B. Also of concern was the infestation of fleas along with children being in the house.
- C. A question of CPS getting involved due to the flea infestation.
- D. Respondent not showing shows a lack of care regarding any animals in the home.

6. The Commission also discussed and voted that Respondent will be labeled a Habitual Animal Offender with Respondent not being able to own any pets, i.e. a lifetime ban.

Hearing Adjourned.