

Memorandum

REPORT TO: City Commission

FROM: Joe Swanson, Deputy Police Chief

SUBJECT: Continued Kennel License Revocation Appeal: Katherine Miller, 3309 Fieldstone Drive West from July 28, 2026

MEETING DATE: August 18, 2026

AGENDA ITEM TYPE: Administration

RECOMMENDATION: Upon hearing the information presented and considering the code, decide to uphold the City's revocation of the kennel license or reinstate the kennel license.

STRATEGIC PLAN: 3.1 Public Safety: Support high quality public safety programs, emergency preparedness, facilities, and leadership.

BACKGROUND:

Pursuant to the Bozeman Municipal Code [Section 8.02.050](#) anyone living in the city and having more than two cats or more than two dogs (over 6 months of age) must obtain a kennel license from the City. To approve a kennel license the Chief of Police (delegating authority to the Animal Control division) must find the following:

1. That all animals listed on the kennel license application possess current city pet licenses;
2. That the site for the proposed use is adequate in size and topography to accommodate such use, and all yards, spaces, fences and enclosures are adequate to properly relate such use with the land and uses in the vicinity;
3. That the proposed use will have no adverse affect on abutting properties or residents within the affected area; and
4. That any conditions stated in the approval are deemed necessary and shall apply and be followed by the applicant and the property owner as a condition of approval.

Notice of a kennel application is required to be provided to all owners of real property within 200 feet of the site of the proposed kennel within 15 days of the application being submitted and prior to the final application being approved.

On February 6, 2026, Animal Control received a report of 13 dogs living at 3309 Fieldstone Drive West and concerns over the conditions of the animals. Animal Control Officer (ACO) Ewing contacted Katherine Miller, the owner of the property, who acknowledged owning approximately nine dogs and indicated she was attempting to rehome others. At the time, Ms. Miller would not allow Animal Control inside her home to observe the condition or number of dogs. Ms. Miller was advised of the requirement to obtain a kennel license for anything more than two dogs.

On February 18, 2026, Ms. Miller applied for a kennel license via the City of Bozeman's online licensing portal for 13 dogs indicating the purpose for the license was for "dog sledding & fostering". That same day, ACO Ewing inspected the property. ACO Ewing noted in her inspection report that the home was found to be relatively clean, and the dogs appeared healthy, though a strong chemical odor was present and the backyard could not be fully inspected due to dog behavior. ACO Ewing noted that Miller gave some inconsistent information about her animals when questioned.

The issuance of a kennel license requires actions by both Animal Control and the Finance Department. Finance reviews to make sure all pets are currently licensed and uploads the required notices to neighboring property. Animal Control does the site inspection and addresses any conditions of approval. Ultimately an approved kennel license is mailed to the Applicant by Finance. In this case there were sequencing issues related to these tasks and the kennel license was issued and mailed on February 20, two days after the application was received. It is unclear when notices to neighboring properties were received, but the short time between application to the issuance of the license did not provide an opportunity for comment by potentially affected properties. Considering the mistake on the City's end related to the timing of the issuance of the kennel license, the City erred on the side of the applicant and the kennel license went into effect.

Between February 20 and February 26, 2026, Animal Control received complaints about Ms. Miller's dogs and residence. These included concerns about excessive numbers of dogs and poor sanitation. Additionally, neighbors presumably acting on the notice they received, provided a history of issues prior to the issuance of the license, including flies, odor, aggressive behavior, and feces accumulation over the preceding year. Information was also obtained that some of the dogs were required to be spayed/neutered as part of a fostering/rehoming program and were not.

Between March 1 through March 5, 2026, additional complaints related to feces accumulation at 3309 Fieldstone Dr W were submitted to Animal Control. Based on the repeated complaints and impact to the neighbors, ACO Ewing provided Ms. Miller a 72-hour notice of the impending revocation of her kennel license per BMC 8.02.050 (D) on March 10, 2026. The code allows for revocation if conditions exist that would preclude the issuance of the license, in this instance, adverse impacts to abutting properties and neighborhood. The kennel license was revoked on March 13, 2026.

BMC 8.02.050 (D) permits the City to allow the applicant to remedy the conditions that resulted in the revocation within 15 days. A scheduled reinspection of Miller's residence occurred on March 27, 2026, and found eleven dogs were present. ACO Ewing noted improvements had been made to yard fencing and waste removal, though flies were still present and chemical odors remained present. Based on the continued sanitation issues and adverse impacts to the abutting properties, it was determined the kennel license would not be reinstated. Miller was provided thirty days to comply with the city code (reducing the number to 2 dogs) or to consider reapplying for a new kennel license with a reduced, more manageable, number of dogs. To date Ms. Miller has not reapplied for a new kennel license and continues to have anywhere from 9 to 13 dogs at the property to the best of the City's knowledge. The City has been actively working to reach a reasonable resolution with Ms. Miller but to date the matter remains unresolved.

On June 11, 2026, Ms. Miller informed the City she would like to appeal the revocation of her kennel license and seek for it to be reinstated. By code, the City Commission hears all kennel license appeals. The decision before the City Commission is whether to uphold the City's revocation of the kennel license; overturn the revocation and reinstate the license as originally submitted; or approve a kennel license with conditions imposed by the Commission. The hearing was scheduled for July 28 and then continued upon the request of Ms. Miller to August 18th.

- UNRESOLVED ISSUES:** Getting the property into compliance with either an approved kennel license with appropriate conditions of approval or taking enforcement action if the revocation is upheld.
- ALTERNATIVES:** As determined by the Commission.
- FISCAL EFFECTS:** None apart from staff time.

Attachments:

06-11-26 Fwd_ Kennel License Appeal.pdf
Response for Hearing.pdf

Report compiled on: July 15, 2026