

Health and Human Services

ITEM No. 11

Subject: Approve an Ordinance amending Title 3 of the City Code relating to the restraint of and enclosures for dogs.

Boards and Commission Action: Recommended by the Animal Advisory Commission.

The last modification of these sections of Title 3 was on December 12, 2003, and resulted in the current City ordinance that allows the tethering of dogs, but mandates that tethering systems be established so as not to cause harm to the dog.

Though compliance with the current ordinance is good, and there have been no reports of injury from animals confined with these systems, the proposed amendments provide the following modifications:

- (1) Prohibits fixed point tethering or chaining of dogs (Part 1, Sec. 3-1-1 (10)).
- (2) Clarifies that an OUTDOOR enclosure used to keep six or more dogs, other than puppies less than SIX months old, must be the required distance from an adjacent residence or business (Part 2, Sec. 3-2-13(A)).
- (3) Adds a Section (B) that mandates when the outdoor enclosure is the primary living area for a dog or used as an area for the dog to regularly eat, sleep, drink, and eliminate, the enclosure MUST be a minimum of 150 SQ. FEET for each dog six months of age or older (Part 2, Sec. 3-2-13(B)).
- (4) Provides for the temporary tethering of a dog under certain situations (i.e., lawful animal event, veterinary treatment, grooming, training, or law enforcement activity, or to protect the safety or welfare of a person or the dog if the dog's owner or handler remains with the dog throughout the period of restraint (Part 3, Sec. 3-4-2).

Animal Control currently receives approximately 200 complaints per year of inappropriately tethered dogs. The amended ordinance will improve living conditions for dogs. It will also allow Animal Control Officers appropriate discretion in handling individual situations.

Because these amendments may have a disproportionate impact in low-income areas of the City, a pilot project has been designed that includes a \$5,000 donation from Town Lake Animal Center, and donations are expected from the community, that would enable more assistance to be provided to assist citizens in the building or repair of the required enclosure for a dog that would otherwise be tethered for containment purposes. The assistance would be capped at \$250 per address/family. Assistance will be provided on a zip code basis, with low-income zip codes targeted. Additionally, any family on public assistance in any zip code would be eligible for the pilot project assistance. Other outreach programs (free sterilization, free rabies vaccinations, free collar/leash, free microchip, free dog houses, etc.) will also be provided as services are available.

~~Delayed implementation will allow a period of time for citizens to come into compliance before enforcement begins. A 120-day implementation period is recommended. During this time, violators will receive warning notices and be allowed a designated period of time to make confinement arrangements that will comply with the new ordinance.~~

The ordinance will go into effect on October 1, 2007. During the period leading up to that date, staff will implement an educational campaign to make citizens aware of the upcoming law changes and the various options that will be available to them to allow them to be in compliance with the new law when it goes into effect.

