

## ANIMAL ORDINANCE PUBLIC REVIEW

### Aggressive Dog Concepts and Related Fees

Current Ordinance	Starting Concept	Final Staff Recommendation
<p>The “Dangerous Dog” Ordinance does not apply until <u>after</u> an attack actually occurs. This often is too late for victims who suffer pain, disfigurement and sometimes death as a result of an attack.</p>	<p>Create an “Aggressive Dog” designation that would define aggressive propensities and behavior and would trigger mandated enhanced safeguards, preventive measures and penalties, and allow a more proactive/preventive response.</p> <p>Sample aggressive behaviors to define “Aggressive Dog”:</p> <ul style="list-style-type: none"> <li>• Charging fence</li> <li>• Attacking other animals within their own enclosure</li> <li>• Frequently assuming a threatening posture toward people</li> </ul>	<p>“Aggressive Dog” means any dog that has not been provoked and repeatedly demonstrates one or more of the following behaviors:</p> <ol style="list-style-type: none"> <li>1. While not at play or incidental to basic interaction, attacks other domestic pets within their own enclosure</li> <li>2. Attempts to climb, dig, chew through or otherwise attempts to escape from their enclosure in an attempt to attack, chase or harass a person or domestic animal</li> <li>3. Bites a person who is lawfully and reasonably inside the animal’s enclosure</li> </ol> <p>The owner of a property where an aggressive dog resides must enclose the aggressive dog behind a 6-foot tall chain link, welded wire, wrought iron, brick, block, wood stockade or other material approved by the Director except where the enclosure abuts a building with a solid wall, inclusive of windows and doors that is at least 6-feet tall and would prevent escape.</p> <p>Director can reduce the height requirement if the only violation is No. 3. The Director shall give consideration to the size and physical condition of the animal, past history of the animal, events that precipitated the bite and the likelihood of another bite occurring in the future.</p>

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<b>Dangerous Dog Concepts and Related Fees</b>		
Current Ordinance	Starting Concept	Final Recommendation
<p>“Dangerous Dogs” are allowed to relocate in Fort Worth.</p>	<p>“Dangerous Dogs” from other communities would be prohibited from relocating to Fort Worth.</p>	<p>Adopt concept. A “Dangerous Dog” would be a dog that has been found to be dangerous in another jurisdiction through a legal process similar to that of the State of Texas or City of Fort Worth.</p>
<p>The current registration fee for a “Dangerous Dog” is \$50 per year.</p>	<p>Increase the registration fee for A “Dangerous Dogs” to \$500 per year.</p>	<p>Adopt concept. Current dogs would be grandfathered at \$50.</p>

<b>Use of Chemical Immobilization</b>		
Current Procedure	Starting Concept	Final Recommendation
<p>Animal Care and Control does not use chemical immobilization for capturing stray aggressive or dangerous animals.</p>	<p>Implement a chemical immobilization program for capturing stray aggressive and dangerous animals. Require training, rules of engagement, standard operating procedures, appropriate equipment and required veterinarian care for all animals tranquilized in the field.</p>	<p>Adopt concept.</p>

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Fencing Enclosure Concept		
Current Ordinance	Starting Concept	Draft Recommendation
<p>The current fencing enclosure requirements are the same for all pets (except if deemed “dangerous” through a dangerous dog hearing process). The ordinance is loosely defined without regard for minimum material or construction methods.</p>	<p>Variable fencing enclosure requirements based on animal’s height and weight. Require maintenance and self-locking gates.</p>	<p>Enclosure means an area that is completely surrounded by a substantial fence or enclosure of sufficient strength, height, construction, materials, and design as to prevent any animal from escaping from the area and in manner that will isolate the animal from the public and other animals except for animals owned or under the control of the owner.</p> <p>Enclosures shall be a minimum height of 4 feet and shall be made of chain link, welded wire, wrought iron, brick, block, wood stockade or other material approved by the Director except where the enclosure abuts a building with a solid wall that is at least 4-feet tall, inclusive of windows and doors that would prevent escape.</p> <p>Where enclosures abut a building, there shall be minimal separation. In no case shall the separation be so great that escape would be possible.</p> <p>Enclosures shall be erected and maintained in conformance with building codes and generally acceptable construction methods to include withstanding wind loads and animal escape efforts. Breaks in the enclosure shall be repaired with like material and provide for a seamless barrier that makes escape unlikely.</p> <p>Where gates are provided, the gate shall be constructed and maintained in a similar fashion. Gates shall be secured to prevent escape.</p>

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		The Director or the director's designee can modify the enclosure requirements by petition of the property owner.
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<b>Animals in Moving Vehicles Concept</b>		
Current Ordinance	Starting Concept	Final Recommendation
No requirements or restrictions on animals in unenclosed vehicles (pick-ups).	Establish requirements for animals in unenclosed vehicles.	Adopt concept.
<b>Tethered Animals Concepts</b>		
Current Ordinance	Starting Concept	Final Recommendation
No minimum pen size for dogs placed in dog runs.	Establishing minimum pen sizes for dogs	<p>It shall be unlawful for a person to confine an animal for a substantial portion of the day in an outdoor enclosure that provides less than forty-eight (48) square feet of space for each animal that is six months old or older. It is presumed that an animal is being confined for a substantial portion of the day if a city employee witnesses the animal in said enclosure at least twice on the same day at two separate times that are at least five hours apart.</p> <p>The prohibition in this paragraph (j) shall not apply to registered non-profit agencies that keep animals for purposes of rescue, rehabilitation or adoption so long as such animals are otherwise maintained in accordance with the requirements of this chapter; or situations in which animals are being boarded for a period of less than thirty (30) days so long as such animals are otherwise maintained in accordance with the requirements of this chapter.</p>

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<p>Tethered animal ordinance is addressed by citation only.</p>	<p>Add authority to seize tethered animals whose owners do not comply (cruelty process.)</p>	<p>Adopt concept.</p>
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Spay/Neuter Concepts and Related Fees		
Current Ordinance	Starting Concept	Final Recommendation
<p>There is no requirement for Spay/Neuter until an animal is captured at-large with no identification or captured at-large more than once.</p>	<p>Require Spay/Neuter for all dogs and cats unless they have a valid intact pet permit or unless veterinarian grants medical waiver.</p>	<p>Adopt concept <u>subject to Intact Permit option</u>. Keep current ordinance that allows reclaimed animals with a current city license a one-time exemption from spay/neuter requirements.</p>
<p>N/A</p>	<p>Require owners of unsterilized dogs and cats to obtain an annual intact animal permit at \$50 per animal.</p>	<p>Change \$50 per animal/per year to <u>\$50 per person/one-time fee</u>. Waive \$50 fee if person attends a responsible pet ownership class. Fee increases to \$150 if owner fails to obtain the permit voluntarily.</p> <p>Permit could be revoked if permit holder fails to provide a lawful enclosure, repeatedly has more animals than what is permitted by law, is convicted of animal cruelty, is convicted of repeated unrestrained animal violations, fails to keep animals properly licensed/vaccinated or otherwise violates a law pertaining to the humane treatment of animals or fails to appear in court for any of the aforementioned violations.</p> <p>Permits would not be issued to citizens having a history of the issues listed above.</p> <p>Upon revocation, the permit holder can appeal to the Director. The Director can uphold the appeal, place special conditions on the permit or overturn</p>

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		<p>the revocation.</p> <p>Where a permit has been revoked, there shall be no intact animals at the residence or business property of the former permit holder, regardless if another person at the same property holds a valid permit.</p>
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Spay/Neuter Concepts and Related Fees		
Current Ordinance	Starting Concept	Final Recommendation
<p>Currently animals that are reclaimed for being at-large are required to be spay/neutered within 30-days after a contract is signed.</p>	<p>Require pet owners that reclaim their animal after being captured at-large to pay a \$200 deposit to have the animal altered at their private veterinarian.</p>	<p>Adopt concept. Keep current ordinance that allows reclaimed animals with a current city license a one-time exemption from spay/neuter requirements. Otherwise, animals would be altered as part of the reclaim fee (no extra charge) or the owner can pay a deposit and have their own veterinarian alter.</p>
<p>No current programs available for spay/neutering of aggressive breed dogs in low income areas.</p>	<p>Provide free spay/neuter for top aggressive breed dogs in low income areas.</p>	<p>As funding allows, provide free or reduce spay/neuter services to low income residents who own aggressive dogs that they wish to keep.</p>

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<b>Micro-Chipping Concepts and Related Fees</b>		
Current Ordinance	Starting Concept	Final Recommendation
Currently license fees for an animal is \$7 regardless of microchip status	<p>Increase license fees for the following:                      One-Year Micro-chipped Pet License (with 1-Year Rabies Vaccine) — \$12</p> <p>Three-Year Micro-chipped Pet License (with 3-Year Rabies Vaccine) — \$12</p>	Adopt Concept. Add Un-Micro-chipped Pet License-Annually — \$36.
No ability for officers to issue licenses in the field	Allow officers to issue a 30-day provisional license in the field. The license would be provisional pending the verification of the animal being currently rabies vaccinated — \$24.	Adopt concept; change fee to \$36.
No current late registration fee for unlicensed animals	Require owners found to have an unlicensed animal to pay a late licensing fee of \$100.	Adopt concept.

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<b>Animals At-Large Concepts and Related Fees</b>		
Current Ordinance	Starting Concept	Final Recommendation
Currently, the citation window fine for an unrestrained dog is \$200.	Increase the citation window fine for an unrestrained dog to \$500.	Adopt concept.
Currently, reclaim fees are based on occurrences of the animal being impounded.	Create additional escalating fee structure depending upon the complexity of the capture and boarding requirements and number of offenses.	Adopt concept.
<b>Adoption and Owner Release Concepts</b>		
Current Ordinance	New Concept	Final Recommendation
Currently no programs in place to periodically reduce adoption rates.	Allow Director to periodically offer reduced adoption rates.	Adopt concept.
Currently no reduced adoption fees for citizens 65+.	Offer half-price adoptions to citizens 65+.	Adopt concept.
Currently no reduced adoption fees for older adoptable animals.	Offer half-price adoption fees for older adoptable animals.	Adopt concept.

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<p>Currently no programs in place to offer assistance to citizens relinquishing ownership of their animal to the City.</p>	<p>Offer spay/neuter, vaccination, micro-chipping, and registration assistance to qualifying citizens relinquishing their animal with the hope that they will retain ownership, reducing the number of animals in the shelter needing placement.</p>	<p>Adopt concept.</p>
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Additional Recommendations from Public	
New Concept	Final Recommendation
<ol style="list-style-type: none"> <li>1. Offer dog obedience classes at/through shelter.</li> <li>2. Add additional volunteers to assist with transport of low income spay/neuter animals.</li> <li>3. Put up restraint and pooper scoop signs on the trails and in parks.</li> <li>4. Adopt-a-sign program for animal regulation signs in public spaces/parks.</li> <li>5. 24-hour on-duty officers.</li> <li>6. Form a “Friends of Fort Worth Animal Control” group.</li> <li>7. Educational programs offered in Spanish.</li> <li>8. Create on-line version of Educate the Offender class for citizens to get citations dismissed</li> <li>9. Create volunteer program for ACC</li> </ol>	<p>These new concepts are currently being reviewed by staff.</p>
<p><b>Contact us at <a href="mailto:CodeCares@fortworthgov.org">CodeCares@fortworthgov.org</a> or 817-392-6323 for additional questions, comments, or concerns.</b>  <a href="http://www.fortworthgov.org/animals/ordinance/">www.fortworthgov.org/animals/ordinance/</a></p>	