

# Memorandum



CITY OF DALLAS

DATE June 6, 2018

TO Honorable Members of the Quality of Life, Arts & Culture Committee: Sandy Greyson (Chair), Mark Clayton (Vice Chair), Rickey D. Callahan, Jennifer S. Gates, Scot Griggs, B. Adam McGough, Omar Narvaez

SUBJECT **Recommended Ordinance for Animal Holding Periods**

## **Summary**

On Monday, June 11, 2018, Ed Jamison, Director of Dallas Animal Services and Ryan Rogers, Assistant Director will brief the Quality of Life, Arts and Culture Committee. The briefings will cover the Dallas Animal Services Dashboard, Recommended Ordinance for Animal Holding Periods, Recommended Ordinance for Dangerous and Aggressive Dogs Proposed Satellite Location for Dallas Animal Services. Briefing materials are attached for your review.

## **Background**

### *Dallas Animal Services Dashboard*

This presentation will give a high-level overview of the current status of some of Dallas Animal Services' most important metrics.

### *Recommended Ordinance for Animal Holding Periods*

This presentation will detail the current problem with the animal holding periods and how the ordinance impedes live release rates. Dallas Animal Services (DAS) has collaborated with the Animal Advisory Commission (AAC) to recommend immediate changes to save lives this summer and increase shelter capacity. The AAC has forwarded this item with a unanimous vote to the Quality of Life, Arts & Culture Committee.

### *Recommended Ordinance for Dangerous and Aggressive Dogs*

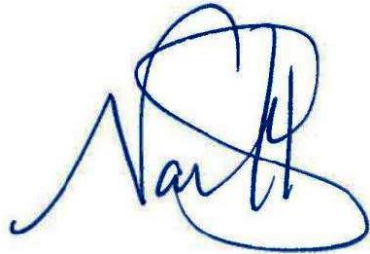
This presentation will detail the definition of a dangerous dog, the requirements of the owner of a dangerous dog, the current administrative challenges and proposed amendments. DAS has collaborated with the Animal Advisory Commission and Dangerous Dog Task Force, in the development of these recommendations. The AAC has forwarded this item with a unanimous vote to the Quality of Life, Arts & Culture Committee.

### *Proposed Satellite Location for Dallas Animal Services*

This presentation will discuss Dallas Animal Services' intent to repurpose old fire station #44 (District 7) as a potential satellite location. This will be a pilot program, if approved. This briefing will include justification for a satellite location, potential budget impacts, and future uses should the site be activated. The AAC has express support for site activation.

Date June 6, 2018  
Subject Recommended Ordinance for Animal Holding Periods

Please feel free to contact me if you have any questions or concerns.



Nadia Chandler Hardy  
Chief of Community Services

c: Honorable Mayor and Members of City Council  
T.C. Broadnax, City Manager  
Larry Casto, City Attorney  
Craig D. Kinton, City Auditor  
Billierae Johnson, City Secretary  
Daniel F. Solis, Administrative Judge  
Kimberly Bizer Tolbert, Chief of Staff to the City Manager  
Majed A. Al-Ghafry, Assistant City Manager

Jo M. (Jody) Puckett, P.E., Assistant City Manager (Interim)  
Jon Fortune, Assistant City Manager  
Joey Zapata, Assistant City Manager  
M. Elizabeth Reich, Chief Financial Officer  
Raquel Favela, Chief of Economic Development & Neighborhood Services  
Theresa O'Donnell, Chief of Resilience  
Directors and Assistant Directors

# Recommended Ordinance for Animal Holding Periods

Quality of Life, Arts, and Culture

June 11, 2018

Ryan Rogers, Assistant Director  
Dallas Animal Services

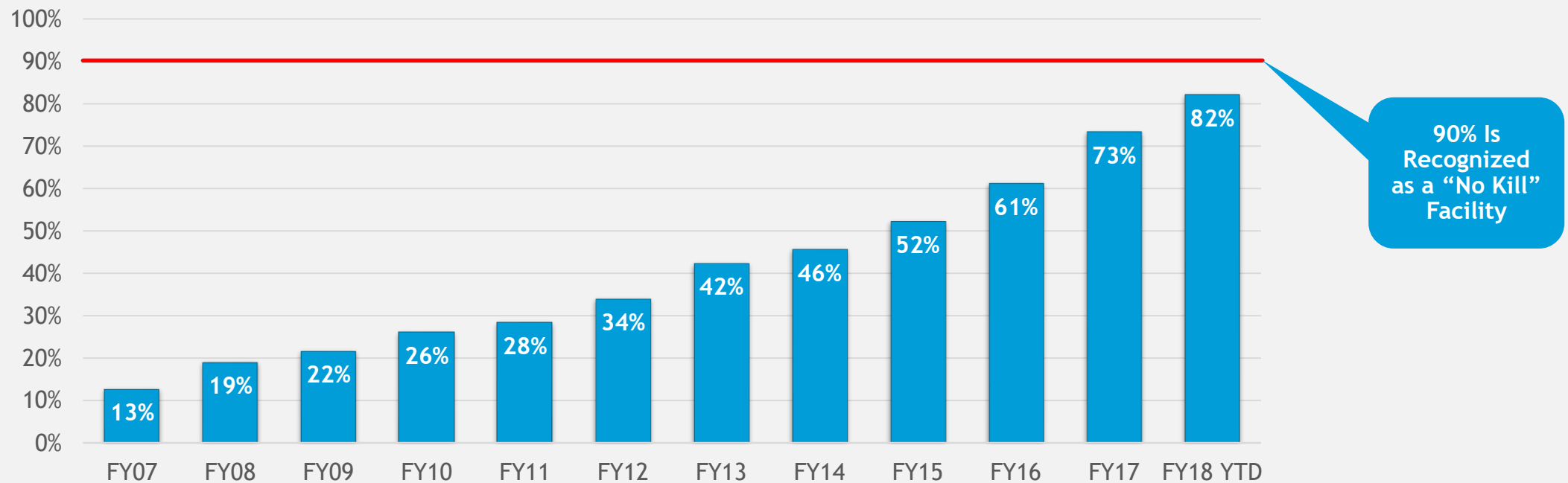


# Briefing Objectives:

- ❖ Background to the Discussion
- ❖ Discuss the Current Problem with Ordinances: 7-2.5 & 7-2.6
- ❖ Present Analysis of the Issue
- ❖ Provide Overview of Recommended Changes
- ❖ Proposed Time Frame of Changes

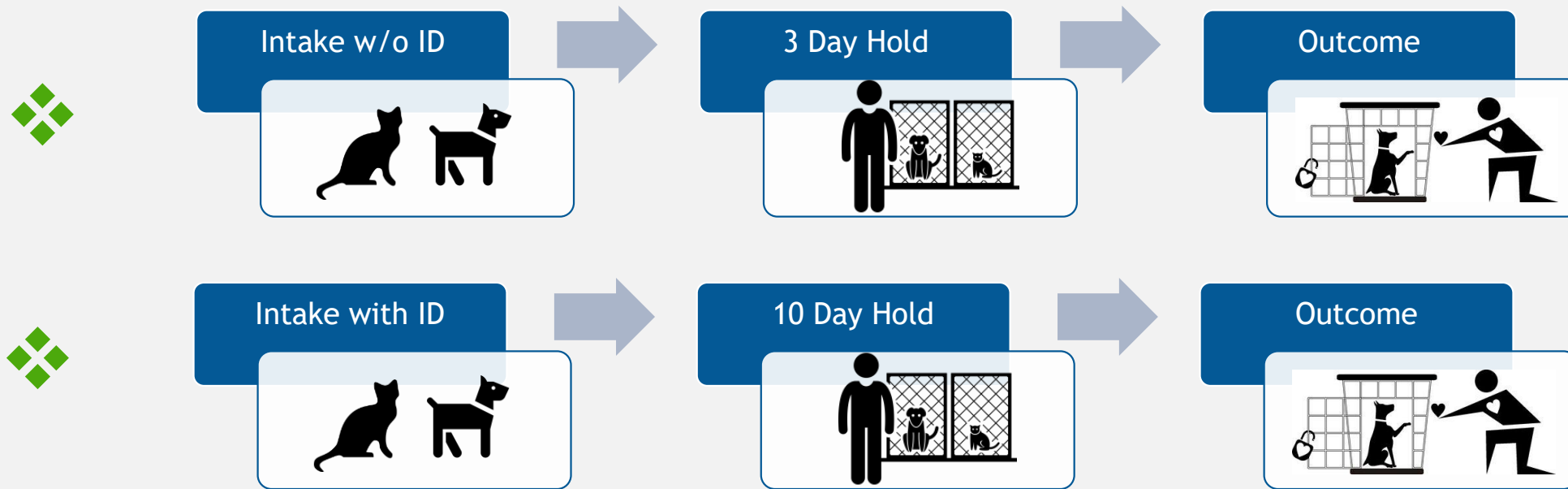
# Background to the Discussion

- The Evolution of Dallas Animal Services – Live Release Rates



# Background to the Discussion

- Animal Hold Policies Dictate the Flow of Animals



# Discussing the Current Problem

- Dallas' 10 day animal hold period is outdated and deviates from best practices and what the data tells us:
  - ❖ Policy is from 2005 - does not align with modern day practices
  - ❖ Negatively impacts a facility built in 2007 - when LRR was <12.7%
- Additionally, the animal hold ordinance impedes live release rates for other groups, specifically:
  - ❖ Puppies, kittens, and nursing mothers

# Present Analysis of the Issue

- FY17 Outcomes: Looking at Our Neonatal Kittens

FY17 Outcomes	ADOPTION	DIED	EUTH REQ	EUTH	RTO	NON-PART	TR PART	TOTAL
Neo Cats	2	67	10	1,056	2	831	24	1,992
Neo Dogs	32	38	0	167	50	836	13	1,136



# Present Analysis of the Issue

- What the data shows about hold periods:

Days in Shelter	% of Possibly Owned Dogs RTO in FY17	Count of Possibly Owned Dogs Returned in FY17
1	11%	322
2	12%	343
3	7%	189
4	4%	116
5	3%	79
6	2%	60
7	1%	35
8	1%	20
9	1%	21
10+	2%	57
<b>Total</b>	<b>43.6% Total Redeemed</b>	<b>1,242</b>

After Day 5

## 93%

of these Animals will not be redeemed

# Present Analysis of the Issue

- What are hold periods for animals with suspected owners in other cities?

City	Possible Owner Hold Period
San Antonio	5 days*
Houston	6 days
Austin	3 days
Ft. Worth	3 days
El Paso	6 days

# Proposed Overview of Recommended Changes

- Immediate changes recommended to save lives this summer
- Four main changes:
  - ❖ Eliminating holds for kittens, puppies, and nursing mothers
  - ❖ Reducing the hold for animals with possible owners to 5 days (from 10)
  - ❖ Requiring mandatory spay/neuter for ALL redemptions
  - ❖ Ability to seize and impound animals with extreme health concerns
- In short: Inefficient hold requirements effect space/shelter capacity

# Proposed Overview of Recommended Changes

- The Net Effect:

$$9.2\% + \text{Increase In Live Release Rate} = 2\% + \text{Net Lives Saved Under New Ordinance} = 600+$$


Gain In Kennel Space

Increase In Live Release Rate

Net Lives Saved Under New Ordinance

- Shelter capacity and flow will improve live release rates

# Proposed Time Frame of Changes

- May 10<sup>th</sup> – Seek Support from AAC 
- June 11<sup>th</sup> – Seek Recommended Approval by QOLAC
- June 27<sup>th</sup> – Seek Recommended Approval by City Council

# Conclusion

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Chapter 7, “Animals,” of the Dallas City Code by amending Sections 7-2.5 and 7-2.6; amending the rules on the impoundment of animals; amending redemption fees; amending redemption periods; clarifying redemption period for dogs deemed dangerous; providing a presumption of abandonment and transfer of ownership; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Section 7-2.5, “Impoundment of Animals,” of Article II, “Animal Services; City Animal Shelters,” of Chapter 7, “Animals,” of the Dallas City Code is amended to read as follows:

**“SEC. 7-2.5. IMPOUNDMENT OF ANIMALS.**

- (a) The director or the chief of police is authorized to seize and impound any animal:
- (1) in the city that is loose;
  - (2) for protective custody;
  - (3) required to be quarantined under Section 7-2.4;
  - (4) seized pursuant to a warrant or court;
  - (5) that is a prohibited animal and kept in the city in violation of Section 7-6.1;
- [and]
- (6) posing a threat to the public health or safety; and[-]
  - (7) displaying signs and symptoms of extreme health concerns.

(b) If an animal is impounded, except pursuant to Subsection (a)(4) and Section 7-2.6(e), the director shall make a reasonable effort to locate the animal's owner by sending notice using contact information from the animal's vaccination tag, microchip, or other identification. Additionally, the director shall call all telephone numbers listed as part of the contact information.

(1) A notice delivered pursuant to this subsection is deemed to be received on the earlier of the date actually received, or the third day following the date upon which the notice was sent. On the second [~~seventh~~] calendar day following receipt of notice, the animal becomes the sole property of the city and is subject to disposition as the director deems appropriate.

(2) If the director is unable to locate contact information for the animal's owner from the animal's vaccination tag, microchip, or other identification, the director shall hold the animal at an animal shelter for a period of 72 hours, after which the animal becomes the sole property of the city and subject to disposition as the director deems appropriate.

(c) If an animal described in Subsection (a) is on private property, the impounding officer may enter the property for the purpose of impoundment or issuance of a citation, or both.

(d) The director is the designated caretaker of a loose, impounded, or surrendered animal immediately upon intake at the animal shelter.

(e) Visitation of a seized animal is prohibited.

(f) No animal impounded at a city animal shelter or in the custody or control of animal services may be knowingly sold, released, or otherwise disposed of for research purposes."

SECTION 2. That Section 7-2.6, "Redemption of Impounded Animals," of Article II, "Animal Services; City Animal Shelters," of Chapter 7, "Animals," of the Dallas City Code is amended to read as follows:

**"SEC. 7-2.6. REDEMPTION OF IMPOUNDED ANIMALS.**

(a) To redeem an impounded animal from a city animal shelter, the owner of the animal must provide proof of ownership and pay to the director the following fees for services rendered before redemption:

(1) on all animals held at least one full day, a redemption fee of:

(A) \$27 for an animal delivered for impoundment to a city animal shelter by a person other than a city employee in the performance of official duties; or

(B) \$27 for an animal delivered for impoundment to a city animal shelter by a city employee in the performance of official duties;



(2) on all animals held at least one full day, \$10 for each night the animal is housed in a city shelter;

(3) \$10 for a rabies vaccination of a dog, cat, or ferret if the owner cannot show either:

(A) a current certificate of vaccination for the animal; or

(B) a letter from a licensed veterinarian on office stationary dated prior to impoundment stating [proof]that the animal was not vaccinated due to health reasons [~~as verified by a licensed veterinarian~~];

(4) [~~the applicable registration fee for a dog or cat under Section 7-4.2, if the owner cannot show proof of current registration;~~

~~(5)~~ \$15 for a microchip implant and initial national registration of a dog or cat, unless:

(A) the animal was injected with a microchip implant prior to impoundment;

(B) a letter from a licensed veterinarian on office stationary dated prior to impoundment stating [certifies] that the animal should not be injected with a microchip implant for health reasons; and

~~(5[6])~~ \$60 for sterilization of an animal[~~dog or \$60 for sterilization of a cat~~], unless:

(A) the animal was spayed or neutered prior to impoundment;

(B) the animal is under six months of age;

(C) the owner provides a letter from a licensed veterinarian on office stationary dated prior to impoundment certifying [a licensed veterinarian certifies] that the animal [dog or cat] should not be spayed or neutered for health reasons or is permanently non-fertile as confirmed by a health examination within 90 days prior to impoundment[;

~~(D) the animal is being held for sale by a retail pet store or for adoption by animal services or an animal welfare organization;~~

~~(E) the animal is a competition cat or competition dog;~~

~~(F) the animal is a service animal; or~~

~~(G) the owner of the animal has, or obtains at the time of redemption, a valid intact animal permit for the animal under Section 7-4.11 of this chapter].~~

(b) The redemption period for an animal impounded in a city animal shelter, other than for quarantine or pursuant to a court order, is:

(1) three days after the date of impoundment, unless Paragraph (2) or (3) of this subsection applies to the animal;

(2) five~~[40]~~ days after the date of impoundment if:

(A) the animal is wearing a legible tag or has a microchip implant identifying its owner with contact information; or

(B) the director has reason to believe the animal has an owner; or

(3) 10 days after the date of impoundment if the animal is being held for protective custody.

(c) The redemption period for an animal impounded pursuant to a court order is the time set forth in the court order or, if no provision is made in the court order, five days after the court proceedings are final.

(d) Except as provided in Section 7-5.3(e), t[F]he redemption period for an animal, with an identified owner, impounded for quarantine is the same day as~~[three days after]~~ completion of the quarantine period.

(e) Kitten litters, puppy litters, and mothers nursing litters impounded in the city's animal shelter cannot be redeemed and immediately become the sole property of the city and are subject to disposition as the director deems appropriate.

(f) If an animal is not redeemed within the appropriate time period specified in Subsections (b) through (d), the animal will become the property of the city and may be placed for adoption, euthanized, or otherwise disposed of as recommended by the director.

(g~~[f]~~) An owner of an impounded animal commits an offense if he removes or attempts to remove the animal from a city animal shelter without first paying all applicable fees required in Subsection (a).”

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.

SECTION 4. That Chapter 7 of the Dallas City Code shall remain in full force and effect, save, and except as amended by this ordinance.

SECTION 5. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 6. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 7. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_