

Keller Police Department Animal Services Ordinance Discussion

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Ordinances to Discuss

- Trapping
- Protective Custody of Animals
- Dangerous Dog



Background

Outdated Policies and Procedures:

- Inefficient operations
- Lack of clarity for staff and the public

Need for Modernization:

- Streamlined processes for intake, adoption and shelter operations
- Updated policies to reflect best practices in animal welfare

Reviewing City Ordinances:

- Identify areas for improvement in animal control laws
- Ensure ordinances are humane, enforceable and reflect community values

Trapping of Animals

Current ordinance states (Sec. 3-460):

Traps can be checked out from the animal shelter when traps are available. Traps will only be emptied Monday through Saturday during animal services operating hours. All trapped animals should be called into dispatch no later than 12:00 noon, the day the animal is trapped. No animals are to be trapped for more than a twenty-four-hour period in any trap. Any person who traps any animal in a city issued trap can have the on-duty animal control officer empty the trap at no charge. Any person who traps any animal in a non-city issued trap can choose to have the trap emptied by the on-duty animal control officer for a fee as set out in the city's fee schedule [Appendix C] payable only in form of a check, made payable to the Colleyville, Keller, Southlake Regional Animal Services. All traps that require the animal control officer to remove and transport the trap in order to safely remove the trapped animal can be picked up at the animal shelter during animal services operating hours.

Trapping of Animals

Laws and practices have changed over the years

- State law and regulations
 - Trapping furbearing animals requires a license
 - Some types of wildlife are illegal to relocate
 - State law does not allow the euthanasia solution to be removed from Animal Services building
- Trapping and removing wildlife increases the spread of zoonosis
- Handling of healthy wildlife requires specific training, certifications & licensing
- Specialty services have the proper equipment and training to handle wildlife
- Animal Services' focus is to assist in domestic-related animal service calls

Trapping of Animals

- 98% of calls for service are for non-nuisance animals, meaning no destruction of property
- Violation of the law to trap and relocate furbearing animals subject to statewide quarantine (Tx Admin Code 169.34)
 - Foxes, skunks, coyotes or raccoons indigenous or naturalized to North America
- Animal Services is limited on where they can relocate trapped animals due to reduced habitats

Trapping of Animals

Animal Service will still assist with wildlife concerns in certain circumstances:

- High-risk rabies suspects (bats, foxes, raccoons, coyotes, skunks) with a reasonably possible human exposure
- Animals that have bitten or scratched humans
- Injured or sick wildlife

Focus of Animal Services

- Zoonosis control
- Quarantining animals
- Providing education and outreach
- Investigating dangerous and vicious dog cases
- Investigating dog bites
- Reuniting lost pets with their owners
- Responding to emergencies
- Investigating animal neglect, cruelty, hoarding and intentional acts of abuse
- Addressing barking dog complaints
- Rescuing lost and stray animals that are sick, injured or in immediate danger
- Picking up and disposing of deceased animals
- Catching and/or trapping individual loose domestic animals

Proposed Amended Trapping Ordinance

Trapping of animals Sec. 3-460 Ordinance:

- 1) It shall be unlawful for any person to remove, alter, damage or otherwise tamper with a trap or equipment placed by an animal services officer or employee.
- 2) It shall be unlawful for any person to set a trap, or permit such a trap to remain, that injures or kills an animal.

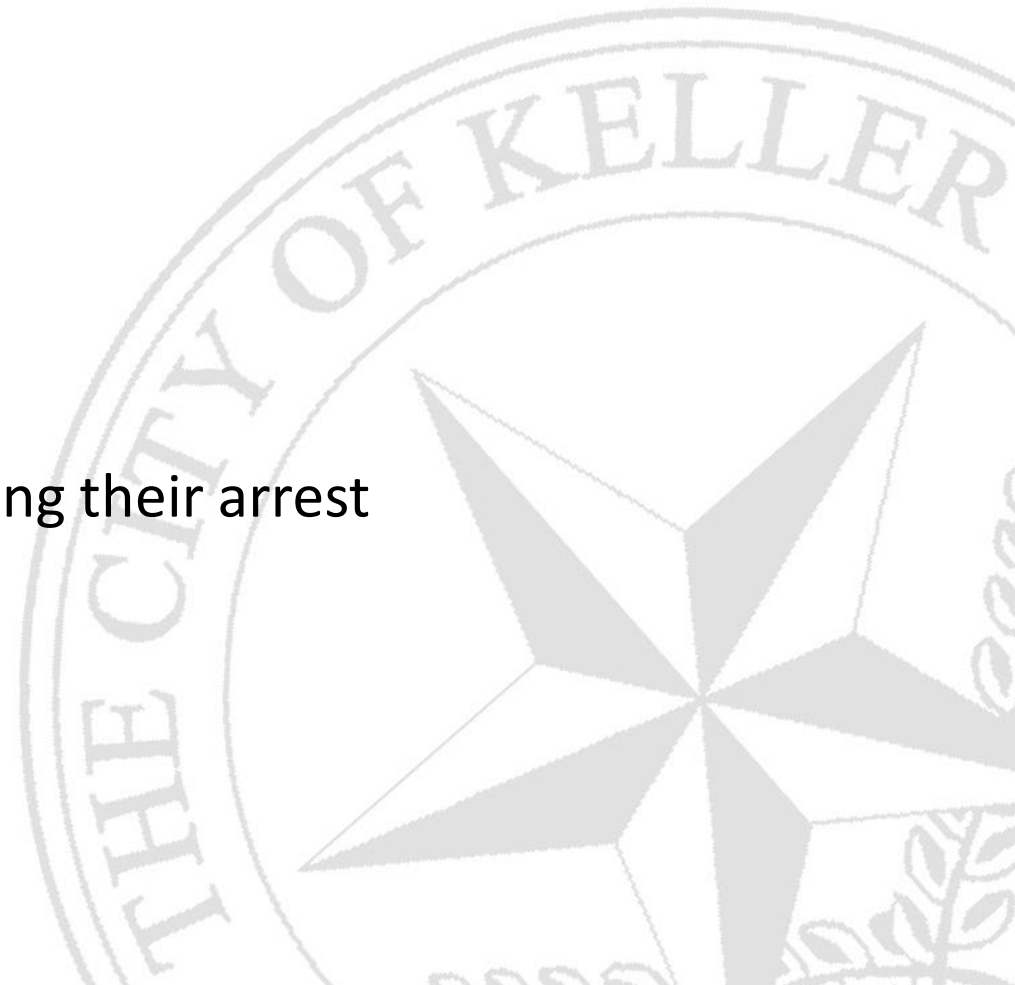
Animals in Protective Custody

- Currently, the City of Keller does not have an ordinance when an animal is taken into protective custody
- If the owner does not retrieve the animal, Animal Services does not have legal authority through a city ordinance to make disposition on the animal
- The current practice is the issuance of a warrant to seize the animal and place it into adoption
 - No established timeline when this will occur

Animals in Protective Custody

Examples of when protective custody could occur:

- Medical emergency
- Fires
- Hospitalization
- Natural or manmade disasters
- When a person has an animal in their custody during their arrest



Proposed Ordinance Highlights

- Establishes ten (10) day hold period
- No fee if the animals was impounded due to fire, medical emergency, hospitalization, or other natural or manmade disaster
- Boarding fee will be assessed after 24 hours for impoundments that occur due to an arrest
- Owner or an authorized person can redeem the animal(s) at any time during the impoundment
- Animal(s) will be cared for and housed at the Keller Regional Animal Services Shelter

Dangerous Dog

Our current ordinance defines dangerous dog as (Sec. 3-100):

- Makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than a private enclosure;
- Commits unprovoked acts toward a person in a place other than a private enclosure and those acts cause that person to reasonably believe that the animal will attack and cause bodily injury to that person; or
- Makes an unprovoked attack on a domesticated animal that causes bodily injury to the animal and occurs in a place other than a private enclosure, commercial kennel, animal shelter, or city-designated dog park.

Dangerous Dog

The proposed change would include:

- Makes an unprovoked attack on a domesticated animal that causes **serious** bodily injury to the animal and occurs in a place other than a private enclosure, commercial kennel, animal shelter or city-designated dog park.
- Serious bodily injury means an injury characterized by severe bite wounds or severe ripping and tearing of muscle that would cause a reasonably prudent person to seek treatment from a medical professional and would require hospitalization without regard to whether the person actually sought medical treatment (Texas Health and Safety Code 822.001)

Dangerous Dog

- Texas State Law (HSC 822.041)
 - The definition in state law does not include an unprovoked attack against other animals, only persons.
 - Recommend to keep in our ordinance unprovoked attack against other animals, but to change from bodily injury to serious bodily injury
 - The majority of surrounding cities do include attacks against other animals that result in bodily injury or death
 - There is no clear definition of bodily injury in the Texas HSC like serious bodily injury
 - Texas Penal Code (1.07) defines as physical pain, illness or any impairment of physical condition



Questions?

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