

An Assessment of Dog Related City Ordinances in the State of Texas for  
Health and Safety

By

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## **Abstract**

There are nearly 27 million people in the state of Texas, and the American Veterinary Association estimate, that 44% of all households in Texas have dogs. With so many dogs in our communities, it is essential to keep them safe as well as their human counterparts. This Applied Research Project describes and assesses dog-related city ordinances in Texas for health and safety. Content analysis of a sample of 44 municipal animal ordinances was used to obtain information on ensuring health, ensuring safety, dog threats, and breed-specific restrictions. The results indicate most cities have a strong ordinance with regards to the rabies vaccination protocol, leash laws, and dangerous/vicious dogs. There are, however, areas in the ordinances where many cities are lacking. These areas include fecal matter requirements, anti-chaining requirements, and the mandatory sterilization of dangerous and vicious dogs. It is important for ordinances to be beneficial for everyone in the community. City administrators who are interested in reviewing and amending their animal ordinances should consider utilizing this research for improving their processes and procedures to create and implement animal ordinances.

### **About the Author**

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## **Chapter 1: Introduction**

The state of Texas is the second most populated state in the United States. According to the U.S. Census Bureau, estimated population of Texas in 2014, was 26.9 million, which is an increase of 4.3 million since 2000. The American Veterinarian Medical Association estimates that 44% of all the households in Texas have dogs. The vast number of people in Texas who have dogs must follow the municipal animal ordinances where they reside and visit.

Animal ordinances are created in order to establish and maintain health and safety standards. These ordinances are laws used to ensure pets are safely integrated into the community, as well as to ensure dogs are treated safely and humanely. Ordinances also ensure that people are safe from dangerous animals. Key health elements include the rabies vaccine requirements, titer antibody test standards, and the importance of picking up fecal matter. Key safety standards include leash law requirements, identification and licensing requirements, anti-chaining requirements, dangerous and vicious dog standards, and mandatory sterilization requirements for dogs deemed dangerous or vicious. Certain components that should not be included in an ordinance are breed-specific requirements. This paper evaluates animal ordinances in Texas, focusing on dogs.

Even though local governmental entities create and implement health and safety standards ordinances, there are still defects in the system. As a result of a telephone survey of dog bite victims performed in 1994 and again from 2001–2003, Gilchrist found that “the bite rates for adults have not decreased” (Gilchrist and Sacks 2008, 300). There are key elements in the ordinances that are problematic, due to the fact that the number of bites in adults has not decreased in nearly a decade. One example is an anti-chaining flaw in municipal animal ordinances. There have been occasions when chained dogs attacked children, which resulted in

numerous surgeries. Chaining a dog is not a violation of every animal ordinance in Texas; however, studies have shown that chaining a dog outside where the dog is unable to positively interact with humans and other animals can increase the prevalence of dog bites and attacks. “These conditions potentially predispose dogs to enhanced territorial, protective, and defensive behaviors towards stimuli in everyday life” (Patronek et al. 2013, 1732).

Designed to build and maintain the quality of public health and safety, effective ordinances are essential. There are various local communities in Texas that recognize chaining a dog is a threat to public health. Local municipal administrators are aware of the repercussions of chaining animals and have implemented anti-chaining and anti-tethering laws. Cities such as Austin have prohibited chained dogs. For example, in section § 3-4-2 of the City of Austin ordinance, “Restraint requirements for dogs on private property. (A) Except as provided in Subsection (B), a person may not restrain a dog with a chain or tether unless the person is holding the chain or tether.”

Additionally, regulators at the state level recognize that chaining an animal is not beneficial to the public. As a result, Texas implemented a statewide law to reduce the amount of time during which an animal is tethered.

“An owner may not leave a dog unattended by use of restraint that unreasonably limits the dog’s movement: between the hours of 10 p.m. and 6 a.m. within 500 feet of the premise of a school; or in the case of extreme weather conditions, including conditions in which: the actual or effective outdoor temperature is below 32 degrees Fahrenheit; a heat advisory has been issued by a local or state authority or jurisdiction; or a hurricane, tropical storm, or tornado warning has been issued for the jurisdiction by the National Weather Service” (State of Texas Health and Safety Code).

## **Purpose**

Appropriate laws are essential in increasing and maintaining health and safety for both dogs and people thus reducing dog bites and attacks. Therefore, “prevention

strategies need to be effective in private as well as public arenas and should address both dog owners and people who do not own a dog. These people also require education about ways to deal with dogs, dog behaviour and ‘dog language,’ and be directed both at children and adults, and always emphasize that even unintentional bites can inflict damage” (Cornelissen and Hopster, 2009, 297). In order to evaluate the effectiveness of an ordinance in guaranteeing health and safety and reducing dog bites, an analysis of ordinances is important.

The purpose of this study is to utilize the literature to develop criteria to assess Texas municipal governments’ animal ordinance policies for ensuring health and safety in the community, as well as reducing the occurrence of dog bites. Finally, based on the findings of the assessment, recommendations are made to improve the public health ordinances.

### **Summary of Chapters**

Chapter 2 contains a review of the literature leads to the analysis of health, safety, dog threats, and the lack of breed specific-restrictions within the municipal governments’ ordinances throughout the state of Texas. A conceptual framework of the four descriptive categories is as follows:

- Ensuring Health
- Ensuring Safety
- Dog Threats
- Banning Breeds

Chapter 3 includes a discussion of the methodology used to study 44 Texas municipal governments’ animal ordinances. Chapter 4 includes the results of each descriptive

category. Chapter 5 summarizes the findings, develop recommendations for Texas city animal ordinances, identifies best practice ordinances and makes suggestions for further research.



## **Chapter 2: Literature Review**

### **Chapter Purpose**

This chapter examines the scholarly literature in order to assess domestic animal ordinances. Specifically, it focuses on dogs and public health and safety. Identifying and categorizing key animal ordinance elements is achieved through a thorough investigation of what an ordinance should and should not include. Ordinances need to be fair and should not restrict citizens in the community, allowing them to enjoy their pet. The three key elements that ensure public health include animal rabies vaccination requirements, the antibody titer test standards, and fecal matter disposal requirements. Additionally, this study assesses four key safety elements that should be included and two elements that should not be included in an ordinance. Four essential elements that ensure public safety and should be included in municipal ordinances are the inclusion of leash laws, identification and licensing, anti-chaining laws, and accurate labeling of vicious and dangerous animals. In addition, this study assesses two key components that should not be included in an ordinance: complete breed bans and specific restrictions on particular breeds. This chapter formulates a conceptual framework that can be used to understand which specific key elements an animal ordinance should include. The conceptual framework is a tool for organizing ideas to achieve a purpose (Shields and Rangarajan 2013, 24).

### **Ordinances**

Municipal governmental entities create and implement rules and regulations called ordinances which are apply equally to all citizens living in the area governed by that entity. The authority of a Texas city to enact and enforce ordinances is conditioned on the type of city. An ordinance is defined as “a local law of a municipal corporation, duly enacted by the proper

authorities, prescribing general, uniform, and permanent rules of conduct relating the corporate affairs of the municipality” (Mueller and Houston 2014, 5). Public agencies are tasked with the implementation and enforcement of ordinances adopted by city, county and other legislative bodies in order to establish and maintain public health and safety standards. The rules and regulations provided in the ordinance should be specific in their application. Additionally, these ordinances must be clearly defined, enforceable, and should further aid the establishment and enforcement of rules and regulations. Mueller and Houston (2014) mention that ordinances abide by federal and state regulations, and when written are modified in order to meet the needs of the community in which it serves (6). Ordinances meeting the aforementioned requirements tend to remain strong, whereas weak ones fail to do so. Ordinances also need to include penalties for violations of the ordinances.

### **Criminal Penalties**

The State of Texas Health and Safety Code discusses criminal penalties for violations of animal ordinances. Local municipalities must follow Texas laws as they develop and implement their unique ordinance, which include the penalties for the animal ordinance violators. The majority of the Texas penalties are class “C” misdemeanors for violations, such as use of an improper restraint, failure to vaccinate against rabies, and not adhering to the leash laws. There are also violations that require harsher criminal penalties, such as repeat offenders use of for unlawful restraint. The State of Texas Health and Safety code is as follows:

#### **§ 821.079. Penalty**

(a) A person commits an offense if the person knowingly violates this subchapter.



(b) A peace officer or animal control officer who has probable cause to believe that an owner is violating this subchapter shall provide the owner with a written statement of that fact. The statement must be signed by the officer and plainly state the date on which and the time at which the statement is provided to the owner.

(c) A person commits an offense if the person is provided a statement described by Subsection (b) and fails to comply with this subchapter within 24 hours of the time the owner is provided the statement. An offense under this subsection is a Class C misdemeanor.

(d) A person commits an offense if the person violates this subchapter and previously has been convicted of an offense under this subchapter. An offense under this subsection is a Class B misdemeanor.

(e) If a person fails to comply with this subchapter with respect to more than one dog, the person's conduct with respect to each dog constitutes a separate offense.

(f) If conduct constituting an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

Local municipalities should follow the State of Texas Health and Safety Code Title 10. Health and Safety of Animals, and include any additional laws and/or amendments that would better suit the needs to their community to enhance their animal ordinance.

### **Key Elements That Should Be in an Animal Ordinance**

City animal ordinances are created to establish and maintain health and safety standards for both humans and animals. "Dogs and cats and rabies control. Municipal ordinances regulating dogs and cats or providing for rabies control should be reviewed carefully in light of the mandatory provisions of V.T.C.A., the Health and Safety Code § 826.001 et seq" (Merriam 2011, 5). These ordinances should also include the enforcement process as well as any necessary fines or penalties.

Key public *health elements* examined in this project include rabies vaccine requirements, alternate titer antibody test standards, and the importance of cleanup of fecal matter. The key *safety standards* addressed in this study include leash law requirements, identification and licensing requirements, anti-chaining requirements, and proper classification and maintenance of the *dog threats*, dangerous and vicious dogs, including mandatory sterilization requirements for dogs labelled dangerous or vicious. The specific components that this study argues should not be included in an ordinance are breed-specific requirements and restrictions.

In practice, the following components of what should be in a domestic animal ordinance:

- Ensuring health
- Ensuring safety
- Reducing the dog threat

One component that should not be included in an animal ordinance:

- Breed-specific legislation

### **Ensuring Health**

The key elements that should be in an animal ordinance are relevant to this study because they are the basic requirements which are intended to increase and maintain a high level of public health standards for both humans and animals within a community.

### **Rabies Vaccination Requirements**

Rabies vaccination protocols are critical elements to this study as rabies is a potentially fatal disease that is 100% preventable with a vaccine. According to Norton et al. (2014) rabies is a fatal disease found in the saliva of dogs that affects the central nervous system of both humans and animals (Norton et al. 2014, 1). Rabies is transmitted from humans to animals and from animals to humans through contact with infected saliva. “There are two types of rabies disease:

furious, and the less common paralytic. Furious rabies is characterized by laryngeal spasms in response to drinking water and these can be accompanied by a feeling of terror; ultimately coma and death ensue over several days. The paralytic form of rabies accounts for about 30 percent of the total number of human cases” (Campbell 2014, 16). Fortunately, there is a vaccine in order available to prevent the disease. According to Campbell, even though there are vaccines for this disease, there are still roughly 55,000 cases of rabies worldwide, almost all in developing countries (16). The importance of this vaccine is crucial in the fight against the spread of this easily preventable disease.

**Figure 1: Dog Receiving Vaccination**



Source: <http://www.petconnection.com/wp-content/uploads/2014/04/bigstock-Dog-Getting-Vaccination-31258076.jpg>

There are two types of the rabies vaccines, as the American Animal Hospital Association (AAHA Canine Vaccination Guidelines 2011) mentions: one is administered yearly, while the other is administered every 3 years (6). The American Veterinary Medical Association (AVMA) strongly recommends dogs and cats that reside in the State of Texas, to be vaccinated against the rabies disease. According to Texas State Law, Sec. 826.021 in the State of Texas Health and Safety Code, it states “Vaccination of dogs and cats required. (a) Except as otherwise provided

by board rule, the owner of a dog or cat shall have the animal vaccinated against rabies by the time the animal is four months of age and at regular intervals thereafter as prescribed by board rule” (1989). After the initial vaccination at 4 months, the veterinarians administer subsequent vaccinations at the veterinarian’s discretion, so long as the due dates do not exceed recommended intervals for booster vaccination as established by manufacturers or any local ordinance requirements. Rabies is such a devastating disease, and so easily preventable, that cities should recognize the vaccine’s importance and include it in their ordinance. In addition to including the rabies vaccination protocol requirements as an essential component in an animal ordinance, it also adds to the strength of the ordinance, because vaccinating pets against the rabies virus is essential for the health of both humans and animals. A strong ordinance will require this vaccination as well as provide information about how often this vaccination must be administered along with quarantine requirements.

### **Antibody Titer Test Standards**

Antibody titer testing is a way to test antibodies in the blood to see if it is necessary to vaccinate against diseases such as rabies, distemper, and the parvo-virus, to name a few. This type of test is used to ensure that the rabies vaccine and other vaccines are working to minimize over-vaccinating and reduces its harmful effects on dogs. These tests are done to help prevent over-vaccinating pets, especially those that display adverse reactions to the vaccines.

“Vaccination is aimed at protecting animals from infectious agents and plays an important role in public health. No vaccine, however, is completely effective or without adverse reactions, and vaccine-associated adverse events (VAAEs) do occur, albeit, infrequently, after vaccinations” (Miyaji et al., 2012, 447).



**Figure 2: Antibody titer test**



Source: <http://www.dogs4dogs.com/blog/wp-content/uploads/2011/08/vaccicheck-photo.jpg>

The antibody titer tests are “tests are also medically useful to ensure that a dog responds to a specific core virus vaccine and/or to determine if immunity is present in a previously vaccinated dog” (AAHA Canine Vaccination Guidelines 2011, 17). Ideally, a titer test is performed on animals that have adverse reactions to certain vaccines, and for those animals whose owners choose not to vaccinate their pets more frequently than absolutely necessary. Over-vaccinating pets is a concern for some pet owners, as well as some veterinarians, for example, Dr. Becker. Becker (2013) explains that “this particular vaccine [rabies] is risky in terms of its reactivity, because it contains a potent amount of inactivated (killed) rabies virus plus strong adjuvants to help stimulate the immune response” (4). Over-vaccinating should be avoided; animals can develop immunity toward the antibodies and as a result the vaccine’s effectiveness will decrease or be null, leaving animals and humans exposed to these diseases.

An antibody titer test will tell a veterinarian whether it will be necessary to retest an animal. “At major diagnostics lab that runs IFA tests, a ‘yes’ answer to the questions of whether an animal is protected actually means the animal is well protected. If a pet isn’t protected

according to IFA test, the animal will need to be vaccinated except in the case of animals that have experienced prior adverse vaccine reactions or non-responder- animals that are genetically non- or low-responders to vaccinations” (Becker 2013, 3). If a titer test shows that the antibodies are present in the dog’s system it is unnecessary to vaccinate against the rabies virus, especially since “the killed-virus vaccine is extremely potent and should not be administered earlier than necessary” (Becker 2013, 4). In some cases, studies show, the rabies antibody present in the animals’ systems for nearly a decade. Becker explains, “according to titer tests, antibodies can remain in an animal’s blood for seven to nine years, and perhaps longer.” When the antibody is present in an animals’ system for several years, it is unnecessary to vaccinate the animal. Some veterinarians suggest rabies vaccinations are pointless after a certain age, as the animal’s own immunity prevents the body from acquiring the disease. “The animal body is still capable of mounting a response, from immune memory to the virus. The body innately knows what to do” (Becker 2013, 4).

An antibody titer test is helpful to avoid over-vaccinating as well as maintaining the appropriate level of rabies antibodies within the animals’ systems. A strong ordinance provides the use of a titer as an alternative to vaccinating yearly or every 3 years. If the antibody is documented as still present in the animal’s system, there is no need to vaccinate against rabies; if antibodies are not present, then the vaccine should be required for the sake of public health.

### **Fecal Matter Requirements**

Fecal matter disposal requirements are beneficial to the public health of both humans and animals. Strong animal ordinances include rules and regulations for cleaning up fecal matter after an animal has a bowel movement on any open ground. When animal excrement is left on the ground, there is an increased risk of bacterial runoff into the waterways. “Fecal contamination

increases nutrient, sodium, and phosphorus levels which can lead to eutrophication that causes excessive algal blooms, death of aquatic animal life due to a lack of oxygen, and taste and odor problems in the drinking water” (Moussa and Massaengale 2008, 197). The presence of *E. coli* in the community’s waterways is a threat to public health, causing illness and possibly even death, as these tainted water sources are consumed and used by both humans and animals on a daily basis. “Elevated levels of bacteria, viruses, and protozoa in the contaminated streams and waterways are often associated with increased rates of illness and disease in the surrounding communities which use the waterways for recreation or as a drinking water source” (Moussa and Massaengale 2008, 197). Picking up and adequately disposing of fecal matter after an animal’s bowel movement will decrease the chances of the *E. coli* bacterium and other pathogens entering in waterways. Implementing these rules and regulations into an ordinance helps prevent *E. coli* in the community waterways and maintains an optimal level of public health within the community. Signs displayed at parks or other public areas informing the people in the community of the requirements are helpful.

**Figure 3: Picture of a sign in the parks that shows the Fecal Matter Requirements**



Source: Wiora, Sheila

**Figure 4: City of Austin's sign that shows their website**



Source: Wiora, Sheila

## **Ensuring Safety for Humans and Their Canine Counterparts**

Leash laws, licensing and identification, and anti-chaining mandates should be included in a domestic animal ordinance to ensure the safety of humans and animals in the community.

### **Leash Laws**

Leash laws require an outside dog to be on a leash and under the control of a human. These laws are vital to a successful ordinance because they prevent potentially hazardous situations, such as stray animals attacking people and other animals, and vehicular accidents that endanger the lives of humans as well as animals.



**Figure 5: Dogs walking on a leash**



Source: <http://hungryhound.com/wp-content/uploads/img-large-leash-pulling.jpg>

“Abandoned and stray companion animals may post a health threat to humans and other animals” (Zanowski 2012 E25). When an animal is roaming off leash in a public area and is not properly restrained, the chances of accidents or an attack occurring are greatly increased. Monti’s (2007) study concluded, “twenty-four percent of animal deaths each year involved dogs that were not properly restrained in public or on their owners’ property” (2). When an animal is not under the control of a human, safety of human and animal populations is jeopardized. Attacks, accidents, and frightened humans potentially await the unleashed dog. Leash laws are important because they encourage responsible owners to properly restrain their dogs on a leash, maintain control of the animal, protect the well-being of the citizens and other animals, and ultimately provide a means of establishing civil order in the community.

Free-roaming dogs are not only a danger to humans, other animals, and themselves, they also pose a threat to the surrounding wildlife. “Because the activity of domestic dogs may affect

wildlife in urban areas, civic employees were interested in estimating diversity and abundance of small animals that might be most susceptible to dog disturbance in areas with and without leash laws” (Forrest & St Clair 2006, 52). Domestic dogs, especially free-roaming dogs are known to chase wildlife, specifically birds; high-prey drive dogs destroy nests, habitats and can even cause death” to these and other animals they manage to catch (Forrest& St Clair 2006, 52). Not addressing the issue of free roaming dogs by not enacting leash laws “may exert a cumulative effect with other disturbances to reduce habitat sustainability” (Forrest & St Clair 2006, 52).

**Figure 6: Free-roaming dogs**



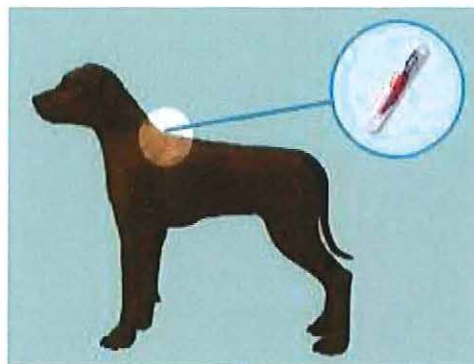
Source: <http://static.boredpanda.com/blog/wp-content/uploads/2014/07/stray-dog-food-vending-machine-recycling-pugedon-101.jpg>

Ordinances requiring dog owners to leash their dogs in public places are designed to protect the safety of humans and animals by limiting the dogs roaming range. Municipal ordinances that abide by the Texas state animal ordinance regulations are sufficient, the municipal ordinances that include additional information such as fines and penalties exceed the “sufficient” status and are considered “well done.”

## Identification, Licensing, and Microchipping Adopted Shelter Animals

Ordinances mandating identification and licensing of dogs are necessary in providing the ownership details of the animal. Establishing ownership of a dog places a burden of responsibility and awareness of the animal's actions on the owner. In addition, dogs that are properly identified and licensed are more likely to be returned to their owners should they ever stray. Proper identification of animals allows animal control entities to quickly assess the dog's ownership and health status, and owners will be contacted to retrieve their animals to avoid unnecessary detention and to prevent dogs from being wrongfully euthanized. According to Fouriner and Geller (2004), in the event a dog is not wearing any identification, the animal, in addition to being placed in typically overcrowded shelters, might be euthanized to prevent further depletion of already limited resources local animal shelters possess (51). Dog owners have various options when it comes to registering and licensing their animals; one popular form of animal registration is microchipping.

**Figure 7: Micro-chip**



Source: [http://microchip.homeagain.com/images/subpage/microchip\\_chipplacment.jpg](http://microchip.homeagain.com/images/subpage/microchip_chipplacment.jpg)

Microchipping an animal is a form of permanent identification. "It is a recognition device designed to be implanted under the skin of (for example) a dog or a cat in order to register the



latter in a special canine or feline registry” (Martignani 2014, 236). Animal control entities scan the animals to obtain registration, health, and historical information on the animal. In order for this system to work, it is of vital importance that owners register and maintain up-to-date animal registration records. “A pet microchip has three components: an antenna to transmit a signal; a capacitor that boosts the signal so that it can be detected by the scanner; and a microchip with a unique 15-digit number programmed into it. They remain completely inactive until scanned. Then the microchip transmits its unique number to the scanner and this number is displayed on the scanner screen” (Hammond 2013, 2).

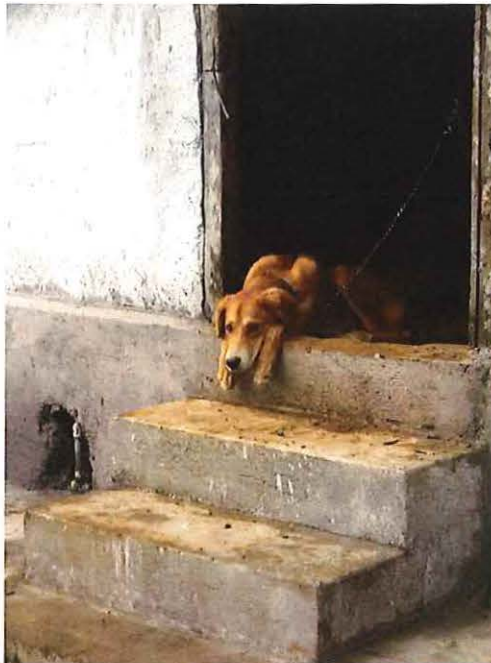
Strong animal ordinances require that animals adopted from a shelter be microchipped and properly registered. According to Dingman et al., (2004), pet owners can reduce the risk of permanently losing their pets by using both visual identification and permanent microchipping (201). Establishing proper dog licensing and identification rules and regulations in an ordinance increases the chance of reuniting dogs to their owners, and they also help reduce the number of incidences when dogs are unnecessarily detained and euthanized.

### **Anti-Chaining Laws**

Anti-chaining laws are another form of safety regulations. These are “laws that prevent dogs from being chained outside, which can increase the occurrence of dog attacks due to a lack of proper socialization of the animal” (Patronek et al. 2013, 1732). These laws are essential for a strong municipal animal ordinance because they help protect the well-being and prevent the unusually cruel treatment of animals. Chaining limits a dog’s ability run away from danger and it provokes a situation where dogs feel cornered and threatened, this in turn usually results in the dog’s display of excessively aggressive and defensive behavior.

Patronek et al., (2013) research suggests that dog attacks resulting in death increase substantially when a dog is chained and not allowed to roam freely within their owner's property. In incidents involving resident dogs, those dogs were isolated from humans in the family when chained. When a dog is restrained, there is a tendency for the dog to become defensive and protective of their territory. That creates a tense atmosphere, which escalates aggressive behaviors. Patronek further explains that "these conditions potentially predispose dogs to enhanced territorial, protective, and defensive behaviors toward stimuli that occur commonly in everyday life. (1732).

**Figure 8: Chained dog**



Source: <http://pumpkinstail.com/wp-content/uploads/2011/03/sad-chained-dog.jpg>

Anti-chaining laws help prevent dog attacks because they encourage dog owners to provide their dogs a certain amount of freedom to explore and familiarize themselves with their surroundings, get exercise and expend excessive energy, and allow socialization with other

humans and animals in the area. These are activities that come naturally to dogs and are essential to a dog's well-being and by extension the well-being of everything that surrounds these animals. Strong animal ordinances include anti-chaining laws, as these laws uphold public safety by protecting the dogs and humans alike. In addition, ordinances should include a penalty for violations of this law.

### **Dog Threats Within the Community**

Dog threats in the community should be addressed in municipal ordinances. A “dog threat” is a situation where a dog in the community is a likely to harm humans and other animals. Dog threats are a serious risk to public safety and need to be properly addressed. Laws should be instated to protect the safety and well-being of humans and animals that come in contact with potentially dangerous dogs. “While BSL (Breed Specific Legislation) should not be included in any ordinance, there should be specific standards for dogs that are vicious and dangerous” (Bandow 1996, 480). Municipal entities should evaluate their standards periodically and adjust to suit their specific community needs. For example, some communities monitor historical incident reports and label a dog as a threat after a specified number of incidents, where “dogs that inflict harm on or pose a threats to humans, or even other animals, as ‘dangerous’ or ‘vicious’” (Tanick 2007, 16). These rules and regulations should be clear and well-crafted for the ease of enforcement, and evaluated carefully with the absolute intention to protect the community's health and well-being. “ A county or city that seeks to classify a dog as ‘dangerous’ or ‘vicious’ must have standards for declaring a dog ‘dangerous’ and must provide for enforcement procedures” (Tanick 2006, 17).

## **Dangerous Dogs**

Creating, implementing, and enforcing dangerous dog laws targets individual dogs as opposed to breeds. “Generic non-breed-specific, dangerous dog laws can be enacted that place primary responsibility for a dog’s behavior on the owner, regardless of the dog’s breed” (Sacks et al., 2000, 840).

Determining if a dog is dangerous is another section that is essential for a strong ordinance. Animal Control needs to be informed of any incident with the animal, and they should determine whether the animal is labeled dangerous. Animal control should collect appropriate evidence about the incident and assess the situation in order to determine if the animal is dangerous. If an animal is dangerous and the owner disagrees with Animal Control’s assessment, the ordinance should allow the owner an opportunity to appeal the “dangerous dog” determination. The ordinance should further describe the dangerous dog assessment process when an attack occurs. Animal control provides detailed information on the person responsible for the dog, what type of offense if charged, and information on potential penalties. Additionally, detailed information is provided on secure enclosure requirements for people with dangerous dogs. In subchapter D. of the State of Texas Health and Safety code “Dangerous Dogs Sec. 822.041 (4): ‘Secure enclosure’ means a fenced area or structure that is: (A) locked; (B) capable of preventing the entry of the general public, including children; (C) capable of preventing the escape or release of a dog; (D) clearly marked as containing a dangerous dog; and (E) in conformance with the requirements for enclosures established by the local animal control authority.” The fencing or area in which the dog is kept shall be locked, access to the animal by the general public is forbidden, the dog shall be able to escape, signage is required that illustrates

there is a dangerous dog present, and the area must be approved by Animal Control. Requiring these elements adds strength to an ordinance as they are specific, detailed, and clearly outlined.

Additionally, when creating dangerous dog laws, it is essential to first define “dangerous dog.” The definition needs to be all-encompassing and precise. It is also advised to add protection clauses that are inclusive of other animals. Defining what constitutes a dangerous animal is important because it will help label the social suitability of that animal throughout its entire life. Definitions should be clear in nature, and should include any and all appropriate language needed to allow as little room as possible for vague interpretations and makes enforcement more cumbersome and not less likely to happen. For example, the following is a clear definition of a dangerous dog in section 62.601 in the State of Texas Health and Safety code:

"DANGEROUS DOG" means a dog which:

- (1) has twice within a 48-month period attacked, bitten, or otherwise caused injury to a person engaged in lawful activity; or
- (2) has once attacked, bitten, or otherwise caused injury to a person engaged in lawful activity, resulting in death or substantial injury; or
- (3) has been declared a "Vicious Dog" or "Dangerous Dog" by the Department pursuant to section 62.674 of this chapter.

Strict requirements on registration for dangerous dogs should also be included in an animal control ordinance. The ordinance should further explain the animal must be surrendered to Animal Control if the owner of the animal is not in compliance with any of the sections within the ordinance.



## Vicious Dogs

The process used to label a dog vicious in an ordinance should be detailed, specific, and require the social suitability is assessed by a clear set of processes and procedures. The label “vicious” implies a greater degree of a threat than a “dangerous” dog. For example, the City of Phoenix animal ordinance (2015) definitions and process of labeling a dog vicious are vague and unclear.

“Vicious animal means any animal other than an animal used by a law enforcement agency, that: (a) Has a propensity to bite, scratch or otherwise inflict injury on a human being without provocation. One incident of causing injury may be sufficient to establish a propensity; or (b) Has a propensity to approach human beings without provocation in a menacing or terrorizing manner so as to confine the movement of or instill fear in a reasonable person; and (c) Is declared vicious after a hearing before a justice of the peace or a City magistrate. Sec. 8-1. - Definitions.

Simply because a dog has the *propensity*, defined as one incident of causing injury to be vicious, does not automatically mean the animal is vicious. Labeling a dog vicious requires that the animal in question have a history of prior incidents and attacks that resulted in bodily injury or death of a human or other animal.

Providing extensively detailed information, the ordinance needs to address the proper care and handling of vicious dogs. For example, the dog will no longer be permitted to remain within the city limits if more than three separate incidents occur throughout the dog’s lifetime; a visit to a healthcare organization where the healthcare professionals determine a person’s life to be endangered by the animal; or if the dog has killed a human or other animal as defined in the ordinance. A dog is also deemed vicious if another animal is severely injured and its life is endangered as a result of that incident. However, if the other animal involved in the incident is in

violation of any of the statutes in the ordinance, then the vicious dog assessment and labeling becomes void. Ideally, ordinances further explain other circumstances where an animal's registration might be revoked.

### **Mandatory Sterilization**

Mandating that dogs labeled vicious or dangerous be neutered helps control incidences of dangerous and vicious dogs by decreasing aggressive tendencies in male dogs. It also decreases overpopulation. Neutered male dogs become less territorial and they tend to be more social toward humans and other wildlife in the area. Proper identification, socialization, and control of animal populations is beneficial, and has a positive impact on the safety and well-being of a community.

“Neutering can help reduce this aggressive behavior, relieving liability on pet owners and decreasing risks to communities” (Zanowski 2012, E24). According to Saetre et al., (2006), studies show that aggression is genetically inherited by animals. Therefore, mandating sterilization of dogs deemed vicious and dangerous is also essential in a strong animal ordinance with regards to public safety. Zanowski (2012) explains “that neutering dogs can help reduce aggressive behaviors, decreases the risk of attacks in the communities and minimizing an owner's liability with regard to the dog” (E24). Studies have shown that intact male dogs are responsible for millions of bites every year.

A strong ordinance includes verbiage that requires the shelter staff to not release a dog to its owners if the dangerous or vicious dog is not spayed or neutered. The neutering should be handled by a licensed veterinarian that shelters generally have on staff or a veterinarian who partners with the shelter. Payment for the spay or neuter should either be included in the

adoption fee, or if the dog is already in the owners' possession, the owner should be required to pay the fee. If the owner is noncompliant to this rule, they shall be fined.

### **Key Elements That Should Not Be in an Animal Ordinance**

Laws need to strike a balance between protecting citizens and guaranteeing citizens' freedom. It is imperative that the laws not over-reach. Breed-specific legislation (BSL) is an example of an over-reach as well as a key element that should not be in a municipal animal ordinance. BSL is a mandate which singles out particular dog breeds deemed dangerous or vicious. The intent of BSL is to protect people from dog breeds that are thought of as more aggressive than others. According to Bandow (1996), "BSL has three basic weaknesses: vagueness, and over and under inclusiveness" (480). BSL is inaccurate and incomplete, rendering this type of legislation ineffective and weak. While these *weaknesses* are not worded this way in this study, the study does highlight and provide examples of some faults. These sections of the law are flawed because they prejudge the social disposition of the dog by not taking into consideration whether or not the animal has displayed aggressive tendencies in the past. "There is no question that dog bites are a problem, but even after extensive review of the data, we know little about the actual behaviors of dogs involved with dog bites, regardless of breed" (Overall and Love 2010, 1932).

### **Complete Breed Bans**

Legislation which bans an entire breed is problematic because there exists no proof that an entire breed of dog is aggressive. Aggressive temper should be assessed individually for every single dog, according to Ledger et al. (2005, 738). Stereotyping and discriminating against entire populations is counterproductive and useless when mandated by legislation. Certain breeds of dogs are not more inclined to bite than others; the more bites that occur in one particular breed

may be due to a popular and inaccurate perception of the breed. “Controlling breeds is not sufficient to control bites” (Overall and Love 2010, 278). Monti (2007) notes that a dog of any breed can become dangerous when bred or trained to be aggressive (2).

The occurrences of dog bites and attacks are more prominent because some dog breeds are more often bred to be aggressive than others. The more dogs of any particular breed that exist, the greater the chances of an incident happening with a dog of that particular breed. Sacks et al., (2000), epidemiologist for the CDC, notes “as individual breeds gain popularity, and assuming an equal probability that any dog will bite, the number of bites reported for that breed should increase” (2). When creating an animal ordinance, “the question to be considered by policy makers is whether American Pit Bull Terriers (APBT) and other breeds exhibit sufficient frequency of aggression to justify breed-specific laws against them” (Collier 2006, 21). Policy makers should consider the individual dog(s) when an incident occurs rather than basing assumptions on entire dog breeds. This is extremely important, as it may prevent occurrences of non-aggressive dogs being forcibly removed from owners and destroyed based solely on the animal’s breed.

There are countries worldwide who initially implemented breed-specific legislation and realized its ineffectiveness. For example, for 15 years the Netherlands’ government abided by breed-specific legislation laws. In 2008, the laws were evaluated by the government. The data showed the laws were ineffective and “BSL has now been abolished in the Netherlands” (Overall 2010, 277). The emphasis within the government changed, and the focus once again transformed to education rather than restriction or banning certain breeds.

On July 5, 2000 Lower Saxony passed Niedersächsische Gefährtiervverordnung (GefTVO), a law that banned 14 dog breeds from the area unless the individual dog passed a

specific temperament test. Originally the law was thought to protect the citizens of the community against dangerous breeds. A study was done on 415 dogs to test their reactions to certain stimuli in order to justify the breed ban. “The tests analyzed for breed disposition for aggressive signaling or aggressive behavior in inappropriate situations, differences in behaviors between breeds and factors differentiating biting from nonbiting dogs” (Schalke et al., 2008, 97). A chi-square test was performed and the results were significant. Ninety-five percent of dogs that were tested reacted appropriately to the stimuli. The results show no indication of dangerousness in specific breeds. “Justification for breed specific legislation was not shown” (Schalke et al., 2008, 97). A similar study was performed, but another breed was added, the Golden Retriever. Results were similar and the law was revoked. “Consequently, legislation in Lower Saxony was changed, and restricted breed lists were withdrawn” (Ott et al., 2008, 140).

Other entities are changing their emphasis on the issue and the “City of Vancouver has recently rejected calls to ban pit bulls and instead has committed to promote responsible pet ownership of all dogs as a means to improve public safety” (Ledger et al., 2005, 741).

Cities in the United States are following suit. Wooster, Ohio recently lifted their breed ban. “At the April 15<sup>th</sup> City Council meeting in Wooster, Ohio, the City Council voted unanimously to repeal their 13 year old ban on pit bull type dogs. The Chief of Police in Wooster also spoke in favor of repealing the ban stating “the breed discriminatory law was unenforceable” (Huszai 2013).

### **Pro-BSL**

There are multiple commonly-held misconceptions that support an adoption of movements toward BSL. The purpose for implementing breed-specific laws is to prevent dog



bites and dog attacks. “BSL typically prohibits the breeding and ownership of certain breeds or types of dogs categorized as “dangerous” or “aggressive” and nBSL (non-breed specific legislation) includes regulations to promote responsible dog-ownership” (Cornelissen and Hopster 2009, 292). There are various myths floating around the Internet and in popular culture regarding pit bulls and other similar breeds. Some of these opinions regarding these breeds of dog include statements such as “pit bulls have lock jaw” and “Pit bulls randomly turn on their owners” or even “pit bulls attack more people and pets than any other dog breed” (Pitbull Myths 2015).

## **Against BSL**

### **Ineffective**

BSL does not solve the “problem” that gives rise to the legislation. With fear-mongering and misconceptions as a backdrop, BSL is a miscalculated attempt to fix a perceived problem. BSL has proven to be ineffective, and contains inaccurate assessments and generalities about certain dog breeds that cannot be factually validated. “Enthusiasm for BSL persists despite the lack of empirical evidence that legislation of this type reduces the risk of injury from dog bites or reduces associated costs to communities or insurers” (Patronek et al., 2010, 788). “When the number of dog bites were examined in a 3 month period 2 years after the ban was implemented, there was no change in the number of reported dog bites (99 cases) and the number of cases involving pit bulls was similar (5% of bites)” (Ledger et al., 2005, 736). For example, “Cincinnati repealed its breed-specific ordinances after deeming them to be both ‘ineffective and unenforceable,’ mentioned previously, the Supreme Court of Alabama ruled there was no genetic evidence that one breed of dog was more dangerous than another, simply because of its breed” (Watson 2003, 71), and Alabama subsequently lifted the ban.

## **Inaccuracies**

The term 'pit bull' encompasses multiple breeds, so a comparison with more uniform breeds is flawed. Thus if pit bulls have a higher percentage of incidents, bites, and/or attacks, at least four or five different breeds could be included in those results, which renders generalizations about pit bulls meaningless. "Statistics that claim Pit Bulls are responsible for some percentage of attacks are combining many separate breeds together and then comparing that to other dogs that are counted as individual breeds" (Watson 2003, 68). There are several different dogs breeds which are commonly known as pit bulls.

There are several reasons the pit bull breed is misidentified. "Visual breed identification, short of actual AKC records, is extremely problematic" (Bradley 2005, 127). After an attack or bite occurs, the victim often informs authorities of the breed of the dog that attacked them. Law enforcement usually deems this method trustworthy because "breeds were identified by people involved in the attacks, so they are verified reliable" (Collier 2006, 18). Experts on dog breeds believe this identification process is not an appropriate means of breed identification. The opinion of the person assessing the breed depends on their potentially limited knowledge of breed appearance. This often varies substantially across individuals. "If people are unsure what breed a dog is, they may be forced to guess and generate 'the breed the dog looks most like' to them" (Voith et al., 2009, 260). Successful banning a particular breed of dogs depends on correctly identifying the dog breeds. Accurate identification is the single most important detail. The actual method of identification (after a dog bite) is filled with inaccuracies and inconsistencies in the methods used to identify the breeds.

## **Specific Restrictions**

All dogs have the potential to bite. There is not one breed that is more inclined to bite than another. As Overall and Love (2010) claim, “any dog, regardless of breed, can exhibit inappropriate behaviors” (932). Stereotyping and discriminating against particular breeds is not beneficial for a community as “breed-specific laws singling out this dog cannot produce significant reductions of dog attacks” (Collier 2006, 21).

Cities sometimes prefer to set guidelines for specific restrictions, as opposed to banning dog breeds. These restrictions are still based on dog breeds. Different entities with BSL restrictions require different types of rules ranging from mandatory spay/neuter, to muzzling in public places, to not allowing the dogs in the jurisdiction. The repercussions of violating the rules include fines, possible jail time, and removal of the dog, dead or alive. As a rule, if the animals are still allowed to remain in the city where there is BSL, it is a requirement that the dog be spayed or neutered depending on the dog’s gender. The general thought process behind this is the intent that dogs will no longer be able to reproduce, and that particular breed will become extinct. Another form of restriction, the use of muzzles when out in public, potentially provides members of the community with a false sense of security. “The American Kennel Club, a nationally recognized organization for the registry of purebred dogs, argue that it is ‘not the dog breed, but the dog deed’ that creates risk to others; nevertheless, certain dog breeds are associated with heightened injury to humans” (Ragatz 2009, 699).

## **Conceptual Framework**

This study’s conceptual framework is illustrated in Table 2.1. The conceptual framework in Table 2.1 summarizes the criteria used to judge the ordinances presented in this chapter. The



purpose of the conceptual framework table is to highlight and present the key elements mentioned in this study. This table allows for ideas that are relevant to this research project to be more clearly outlined and organized to achieve the purpose of the research project (Shields and Rangarajan 2013, 24). Scholarly literature was used to develop, analyze, and assess the key components described in the framework. In addition, this framework establishes a basis for creating a methodology to evaluate Texas municipal governments' animal ordinances.

<b>Table 2.1 Conceptual Framework</b>	<b>Purpose:</b> As a descriptive study, this paper will describe and assesses dog related city ordinances in Central Texas for health and safety.
Descriptive Categories	Supporting Literature
Key elements that should be in an ordinance	Shields and Rangarajan 2013, Mueller and Houston 2014, State of Texas Health and Safety Code 1989, Merriam 2011
<b>1. Ensuring Health</b>	
1.1 Rabies Vaccine Requirements	Norton et al. 2014, Campbell 2014, AAHA 2011, AVMA 2014
1.2 Antibody Titers	Miyaji et al. 2012, AAHA 2011, Becker 2014
1.3 Fecal Matter Requirements	Moussa and Massengale 2008
<b>2. Ensuring Safety</b>	
2.1 Leash Laws	Zanowski 2012, Monti 2007, Forrest & St Clair 2006
2.2 Identification/licensing	Fournier and Geller 2004, Martignani 2014, Hammond 2013, Dingman et al. 2014,
2.3 Anti-chaining	Patronek et al. 2013
<b>3. Dog threat</b>	Bandow 1996, Tanick 2007
3.1 Vicious/Dangerous Dogs	Sacks et. al 2000, State of Texas Health and Safety Code 1989, Phoenix, Arizona Animal Ordinance 2015
3.2 Mandatory sterilization	Zanowski 2012, Saetre et. al 2006
Key elements that should not be in an ordinance	Bandow 1996, Overall and Love 2010
	Ledger et. al 2005, Overall 2010, Monti 2007, Sacks et. al 2000, Collier 2006, Overall 2010, Schalke et. al 2008, Ott et. al 2008, Huszai 2013
<b>4. Complete Breed Ban</b>	
4.1 Pro- BSL	Cornelissen and Hopster 2009, Pit bull Myths 2015

4.2 Against BSL	Watson 2003, Patronek et al. 2010, Ledger et al. 2005, Collier 2006, Bradley 2005, Voith et al. 2009
4.3 Specific Restrictions	Ragatz 2009, Collier 2006, Overall and Love 2010

## Conclusion

Studying the literature exposed four imperative categories regarding ideal components for animal ordinances in establishing and maintaining public health and safety in the community: ensuring health, ensuring safety, dog threats, and the exclusion of breed bans and restrictions. Each of the categories provides information on the key elements that should be in an ideal animal ordinance. The methodology in this study is used to gauge the strength of their animal ordinances. The next chapter illustrates the methodology that is used to describe the ideal public health and safety characteristics within the animal ordinances in more detail. After reviewing the results, the strength of the animal ordinances are determined.

## **Chapter 3: Methodology**

### **Purpose**

The purpose of this chapter is to describe the research methodology used to evaluate how well Texas cities' animal ordinances meet the ideal components as specified in Chapter 2. This is achieved by accomplishing six objectives. First, this chapter explains the research methods used in this study. Secondly, this chapter explains the coding sheet used to capture data. Third, coding decisions are explained. Fourth, a map of the regions in Texas where the cities fall is introduced and discussed. Fifth, strengths and weaknesses of the methodology are examined. Finally the method used to sample city ordinances is discussed.

### **Research Methods**

#### **Content Analysis**

This study uses content analysis of animal ordinances to assess Texas animal ordinances. Babbie (1989) defines content analysis as "the study of recorded human communications" (333). "Additionally, the use of content analysis allows for an examination of a large number of documents in a systematic way in an abbreviated period of time" (Babbie 1986, 282). Content analysis is also ideal for coding purposes. According to Ryan and Bernard (2000) "this type of analysis is a coding tradition" (780). The specific units for the content analysis in this study were animal ordinances. The primary method of research was done using an Internet search of the cities' websites. The animal ordinances were obtained online as they are publicly available. This allows the researcher to avoid costly methods of inquiry. An additional advantage to content analysis is that it is simple and easy to replicate. This information can be acquired independently and does not require the collection of new data.

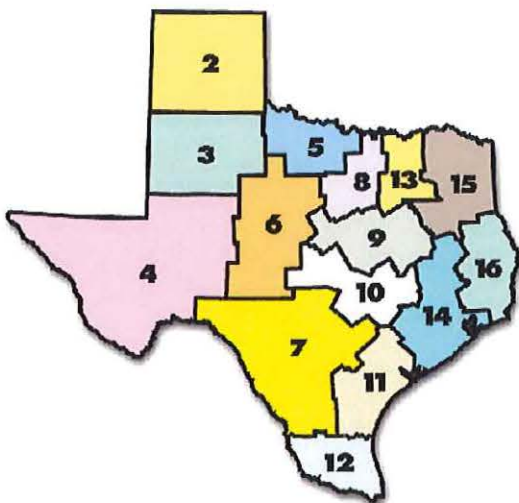
## Coding Sheet

The coding sheet presented in Table 3.1 narrowly defines the descriptive categories that should be included in an animal ordinance as well as essential categories that should not be included in municipal animal ordinances. The first column includes the descriptive categories which includes the four broad categories of ensuring health, ensuring safety, dog threats, and banning dog breeds as well as the associated subcategories. For example, ensuring health includes subcategories: rabies vaccines, antibody titers, and fecal matter requirements are subcategories of ensuring health. Under the key elements that should not be in an ordinance are breed restrictions and banning breeds. Other descriptive categories include demographic information on the cities used in the study.

<b>Table 3.1: Coding Sheet</b>				
Title: Policy Review in the State of Texas to help reduce dog attacks				
Purpose: As a descriptive study, this paper describes and assesses dog-related city ordinances in Texas for health and safety.				
Descriptive Category	Coding Category			
City:				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2: Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done

V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size				
V11: Region				
V12: Number of pages in the ordinance				
V13: Year ordinance was amended				
V14: Budget per capita				

**Figure 3.2 Region map: Texas Municipal League regions**





<b>Region 2</b>	Amarillo Area
<b>Region 3</b>	Caprock—Lubbock Area
<b>Region 4</b>	Permian Basin Region—Odessa Area
<b>Region 5</b>	Red River Valley—Wichita Falls Area
<b>Region 6</b>	Hub of Texas—Abilene Area
<b>Region 7</b>	Alamo Region—San Antonio Area
<b>Region 8</b>	Where the West Begins—Fort Worth Area
<b>Region 9</b>	Heart of Texas Region—Waco Area
<b>Region 10</b>	Highland Lakes Region—Austin Area
<b>Region 11</b>	Coastal Bend Region—Corpus Christi Area
<b>Region 12</b>	Lower Rio Grande Valley—Rio Grande Valley Area
<b>Region 13</b>	North Central Texas Region—Dallas Area
<b>Region 14</b>	San Jacinto Region—Houston Area
<b>Region 15</b>	Tyler—Longview Area
<b>Region 16</b>	Golden Pine & Oil Region—Beaumont—Lufkin Area

Source: <http://www.tml.org/regions>

## Coding Decisions

The ordinances were coded in order to organize the data for examination and interpretation. Ordinances were coded using each of the categories and elements identified in the conceptual framework. When there was no discussion of an item, it was coded as “0.” If there was discussion, but it was inadequate, it was coded as a “1.” If there was a discussion and it was adequate, it was coded as a “2.” If there was a discussion and it was well done, it was coded as a “3.” When an element is “well done,” it includes the minimum state requirement in that area, but it includes more information. For example, when ordinances discusses the rabies vaccine, it would earn a “3” if there was mention of quarantine information, as well as when the vaccines

should be administered. In the “Banning Breeds” section, if there was no mention of breed specific laws, this section would be coded as a “1.” If breed-specific laws were included in the ordinance, it would be coded as a “0.”

### **Strengths and Weaknesses**

One of the strengths in this study is the use of the content analysis method to examine municipal ordinances. This type of analysis is a good way to read, compare, and review the different animal ordinances within the State of Texas. Titscher et al., (2000) describes this type of analysis as one of the lengthiest and reputable process within empirical investigative studies (55). Weaknesses in this study would involve the analysis of the ordinance. “Since this analysis and coding sheets were developed by an individual researcher, another researcher would most likely come up with different results as the analysis is subjective” (Babbie 1986, 282). The analysis of the ordinances only includes specific portions that relate to ensuring health, ensuring safety, dangerous/vicious dogs, and making sure that BSL is not included in the ordinance. There may be other portions of the ordinance that need an analysis that is not included in this study. Babbie (1986) recommends consistent coding in order to obtain reliable results.

### **Data Collection**

#### **Sample**

The ordinances in this study were available online on the municipal governments’ websites. A systematic and stratified technique, with a random start was used in this project as a sample of the ordinances is needed in order to successfully complete the content analysis. Specifically, 44 municipal animal ordinances were chosen for this study, using systematic sampling. Once the sample size was chosen, content analysis was performed.

Since cities vary by population, random sampling of a list of Texas cities could miss extra-large cities such as Dallas or Houston. The goal was to examine animal ordinances that would incorporate a large percentage of the places dogs and their human companions live. So, a stratified sample was developed which stratified by city size.

Forty-four Texas cities were selected. One thousand seven hundred and fifty-three cities in Texas are listed in the 2010 US Census Bureau Report. Their populations ranged between 10,000 and 2.1 million (State and County Quick Facts 2015). A list of cities used in this study and their populations are included in this chapter, and region locations per the Texas Municipal League map of Texas are included in Figure 3.2. The budget per capita for the cities used in this project was obtained from the cities' webpages "approved budget" section.

The cities were stratified by their population. Cities with a population of 500,001 or more are labeled as extra-large (see Table 3.3). Cities with a population of 100,001 to 500,000 are labeled as large cities (see Table 3.4). Cities with a population of 25,001 to 100,000 are medium-sized cities (see Table 3.5) and small cities' population (see Table 3.6) is 10,001 to 25,000. Cities with a population of fewer than 10,000 were disqualified.

The remaining number of cities in this study is 218. The cities in each of the population categories were alphabetized and the total number of cities in the extra-large population category is 6, 23 are in the large category, 80 are in the medium sized category, and 125 are in the small category. All animal ordinances for the cities in the extra-large population category were used in this study. Table 3.3 identifies the extra-large cities. The animal ordinances for the large population category were used in this study, and are identified in Table 3.4. Fourteen animal ordinances were analyzed from the medium-sized (Table 3.5). Twelve animal ordinances from the small category were used in this study and they are listed in Table 3.6.

The sample for the large population category was chosen systemically as every other city was used, and a coin was flipped to pick if the sample would start on the first city listed or the second. If heads landed facing up, the first city was used and if tails landed facing up, the sample started with the second city. In this study, heads landed facing up, so the sample size began with the first city, and then every other city was chosen for the study.

The sample for the medium-sized population category was also chosen systemically. A random number of one through five was drawn out of a hat. Since the number 5 was picked, the sample began with the fifth city listed in the category and then every 6<sup>th</sup> city after that was chosen to be part of the sample.

The sample for the small-sized population category was also chosen systemically. A random number of one through eight was drawn out of a hat. The number 4 was picked, the sample began with the fifth city listed in the category and then every 9<sup>th</sup> city after that was chosen to be part of the sample.

The sample for the medium and small categories was chosen this way in order to oversample larger populated cities in this study. This technique ensures medium and small cities, which have fewer dogs and people, would not be oversampled.

The extra-large cities range in size from over 2 million (Houston) to almost 650,000 (El Paso). Ordinances from all extra-large cities were reviewed. All of the ordinances have been updated between 2012 and 2014. Dallas is the exception, with the most recent update in 2008. The average population size for this group of ordinances is 1,134,232. The average budget per capita is \$2,391 and the average number of pages that are included in the animal ordinance is 35. Table 3.3 shows the extra-large cities and demographics that are used in this study.

**Table 3.3: Extra-Large Cities and Demographics**

<b>Extra-Large Population Averages</b>					
<b>PLACE NAME</b>	<b>Population Size</b>	<b>Region</b>	<b>Number of pages in the ordinance</b>	<b>Year ordinances was amended</b>	<b>Budget per capita</b>
Houston city	2,099,451	14	64	2014	\$2,476
San Antonio city	1,327,407	7	36	2013	\$1,808
Dallas city	1,197,816	13	22	2008	\$2,337
Austin city	790,390	10	24	2014	\$2,329
Fort Worth city	741,206	8	37	2012	\$2,023
El Paso city	649,121	4	28	2012	\$1,272
Average	1,134,231		35		\$2,041

The large cities range in size from over 365,000 (Arlington) to 104,000 (Wichita Falls). All of the ordinances have been updated between 2005 and 2014. Table 3.4 shows the large cities and demographics that are used in this study. The average population size for this group of ordinances is 168,531. The average budget per capita is \$1,766 and the average number of pages that are included in the animal ordinance is 28.

**Table 3.4 Large Cities and Demographics**

<b>Large Population Averages</b>					
<b>PLACE NAME</b>	<b>Population Size</b>	<b>Region</b>	<b>Number of pages in the ordinance</b>	<b>Year ordinances was amended</b>	<b>Budget per capita</b>
Abilene city	117,063	6	18	2005	\$691



Arlington	365,438	8	93	2012	\$548
Brownsville city	175,023	12	16	2006	\$548
Corpus Christi city	305,215	11	30	2013	\$2,719
Frisco city	116,989	13	35	2006	\$3,017
Grand Prairie city	175,396	8	24	2014	\$1,710
Killeen city	127,921	9	31	2014	\$720
Lubbock city	229,573	3	32	2013	\$2,938
McKinney city	131,117	13	34	2009	\$2,387
Midland city	111,147	4	12	2006	\$2,204
Plano city	259,841	13	47	2012	\$1,943
Wichita Falls city	104,553	5	35	2009	\$545
Average	168,530		28		\$1,765

The medium cities range in size from over 95,000 (Lewisville) to almost 26,700 (Harker Heights). Most of the ordinances have been updated between 2004 and 2014. Missouri City is the exception, with the most recent update in 1998. The average population size for this group of ordinances is 51,781. The average budget per capita is \$1,883 and the average number of pages that are included in the animal ordinance is 20. Table 3.5 shows the Medium Cities and demographics that are used in this study.

**Table 3.5 Medium Cities and Demographics**

<b>Medium Population Averages</b>					
<b>PLACE NAME</b>	<b>Population Size</b>	<b>Region</b>	<b>Number of pages in the ordinance</b>	<b>Year ordinances was amended</b>	<b>Budget per capita</b>
Bedford city	46,979	8	24	2013	\$1,362
Bryan city	76,201	10	14	2007	\$4,985
Conroe city	56,207	14	6	2007	\$2,459
Duncanville city	38,524	13	14	2008	\$623
Friendswood city	35,805	14	23	2010	\$1,363
Harker Heights city	26,700	9	16	2014	\$1,378
Kyle city	28,016	10	43	2012	\$1,956
Lewisville city	95,290	13	34	2009	\$742
Missouri City	67,358	14	4	1998	\$644
Pearland city	91,252	14	18	2013	\$2,380
Rosenberg city	30,618	14	20	2011	\$2,172
Schertz city	31,465	7	25	2012	\$2,034
Temple city	66,102	9	19	2004	\$1,783
Waxahachie city	29,621	9	23	2008	\$1,958
Average	51,781		20		\$1,883

The small cities range in size from 20,329 (Sachse) to almost 12,248 (Port Lavaca). Most of the ordinances have been updated in the 2000's. Alton city is the exception with the most recent update in 1989, and Highland Village in 1999. The average population size for this group of ordinances is 15,457. The average budget per capita is \$1,291 and the average number of pages that are included in the animal ordinances is 16. Table 3.6 shows the small cities and demographics that are used in this study.

**Table 3.6 Small Cities and Demographics**

<b>Small Population Averages</b>					
<b>PLACE NAME</b>	<b>Population Size</b>	<b>Region</b>	<b>Number of pages in the ordinance</b>	<b>Year ordinances was amended</b>	<b>Budget per capita</b>
Alton city	12,341	12	15	1989	\$980
Bellaire city	16,855	14	11	2010	\$1,904
Canyon city	13,303	2	17	2014	\$1,195
Dickinson city	18,680	14	22	2008	\$787
Gainesville city	16,002	8	14	2013	\$1,537
Highland Village city	15,056	13	23	1999	\$2,344
La Marque city	14,509	14	6	2011	\$1,137
Midlothian city	18,037	13	16	2005	\$626
Port Lavaca city	12,248	11	9	2012	\$1,184

Sachse city	20,329	13	27	2011	\$1,269
Stephenville city	17,123	8	16	2007	\$1,168
Vernon city	11,002	5	13	2008	\$1,354
Average	15,457		16		\$1,290

## **Statistics**

Descriptive statistics (mean and frequency distribution) and cross tabulation were used to describe the state of municipal animal ordinances in Texas cities.

## **Summary**

This chapter included discussion of the methodology chosen for this study of 44 Texas' cities animal ordinances and the content analysis of those ordinances according to the criteria based on categories found in the literature. The criteria will be used to determine how the selected cities' ordinances compare to the ideal model. The next chapter includes the results and findings from this research and recommendations for future researchers and cities making changes to their ordinances.

## **Chapter 4: Results**

### **Purpose**

The purpose of this chapter is to present the results of the content analysis of the animal ordinances in the State of Texas. This chapter describes the results for what should and should not be included in an animal ordinance. The results are organized using descriptive categories derived from the literature review. The four key categories are: (1) ensuring health, (2) ensuring safety, (3) dangerous/vicious animal, and (4) any breed-specific properties mentioned. Ordinances were analyzed from 44 cities within the State of Texas according to their population.

### **Ordinance Analysis Results**

Population size was a major factor in this project, data were gathered and statistics were calculated.

#### **Ensuring Health**

Ensuring health is one of the most fundamental elements in an ordinance. It establishes the foundation for an optimal ordinance. The rabies vaccine was “well done” or “sufficient” in 100% of the analyzed ordinances. Interestingly, none of the ordinances mentioned antibody titers at all. Fecal matter requirements were “well done” and “sufficient” in 61% of the analyzed ordinances. This indicates that the majority of the ordinances that were analyzed are doing well with their rabies vaccine requirements, but that their antibody titer policy is nonexistent. Over half the ordinances are either “well done” or “sufficient” with their fecal matter policies, but many of the ordinances do not mention the requirements (see Table 4.1).



**Table 4.1 Overall Ensuring Health**

Ensuring Health	Not included	Insufficient	Sufficient	Well done	Total Percentage N=44
Rabies	0%	0%	9%	91%	100
Antibody Titers	100%	0%	0%	0%	100
Fecal matter requirements	30%	9%	31%	30%	100

### **Ensuring Health by City Size**

The strongest “ensuring health” ordinances were found among the extra-large cities. All of the cities had strong rabies regulations, and five out of six had “sufficient” or “well done” fecal matter requirements (see Table 4.2).

Ordinances in the large cities earned the third highest rating for ensuring health. As previously mentioned, twelve out of twelve in the “ensuring health” of the rabies portion within the ordinances are either “well done” or “sufficient.” None of the ordinances in the extra-large cities mentioned antibody titers. Seven out of twelve of the fecal matter requirements portion of the ordinances are either “well done” or “sufficient” (see Table 4.2).

Ordinances in the medium cities earned the second highest rating for ensuring health in their animal ordinances. As previously mentioned, fourteen out of fourteen of the rabies portion within the ordinances are either “well done” or “sufficient.” None of the ordinances in the extra-

large cities mentioned antibody titers. Ten out of fourteen of the fecal matter requirements portion of the ordinances are either “well done” or “sufficient” (see Table 4.2).

Ordinances in the small cities earned the lowest rating for ensuring health in their animal ordinances. As previously mentioned, twelve out of twelve of the rabies portion within the ordinances are either “well done” or “sufficient.” None of the ordinances in the small cities mentioned antibody titers. Five out of twelve of the fecal matter requirements portion of the ordinances are either “well done” or “sufficient” (see Table 4.2).

**Table 4.2: Number of Ordinances for Ensuring Health by City Size that were Sufficient or Well Done in this Category**

<b>Ensuring Health</b>	Extra-Large	Large	Medium	Small
Rabies	6	12	14	12
Antibody Titers	0	0	0	0
Fecal Matter Requirements	5	7	10	5
N=	6	12	14	12

### **Ensuring Safety**

Ensuring safety is another fundamental role for animal regulation. The leash law portion was “well done” or “sufficient” in 98% of the analyzed ordinances. The identification and licensing portion of the ordinance was “well done” or “sufficient” in 86% of the analyzed ordinances. The anti-chaining portion was “well done” or “sufficient” in 48% of the analyzed ordinances (see Table 4.3). The leash law section and the identification and licensing portion of the ordinances ranked well in this study. The anti-chaining portion is a problem, 61% of ordinances did not include anti-chaining requirements in their verbiage. The medium-sized cities

were the strongest with regards to the anti-chaining regulations, whereas the large and small cities were almost equally as bad.

**Table 4.3 Overall Ensuring Safety**

Ensuring Safety	Not included	insufficient	Sufficient	Well done	Total Percentage N=44
Leash law	0%	2%	68%	30%	100
Identification/Licensing	11%	0%	34%	55%	100
Anti-chaining	61%	16%	7%	16%	100

#### **Ensuring Safety by City Size**

Again, extra-large cities were the strongest in the ensuring safety category. Six out of six of the leash law portion of the analyzed ordinances are either “well done” or “sufficient.” Six out of six of the identification and licensing portion of the analyzed ordinances were “well done” or “sufficient.” Three out of six of the anti-chaining requirements portion of the ordinances are either “well done” or “sufficient” (see Table 4.4). The anti-chaining requirements in these cities is a problem.

Ensuring safety ordinances in the large cities earned the third highest rating in their animal ordinances. Eleven out of twelve of the leash law portion of the analyzed ordinances are either “well done” or “sufficient.” Twelve out of twelve of the identification and licensing portion of the analyzed ordinances were “well done” or “sufficient.” Three out of twelve of the anti-chaining requirements portion of the ordinances are either “well done” or “sufficient” (see Table 4.4).

The medium sized cities earned the second highest rating for ensuring safety in their animal ordinances. Fourteen out of fourteen of the leash law portion of the analyzed ordinances are either “well done” or “sufficient.” Eleven out of fourteen of the identification and licensing portion of the analyzed ordinances were “well done” or “sufficient.” Twelve out of fourteen of the anti-chaining requirements portion of the ordinances are either “well done” or “sufficient.” (See Table 4.4). The medium cities were the strongest in the anti-chaining section in their animal ordinances.

The small cities earned the lowest rating ensuring safety in their animal ordinances. Twelve out of twelve of the leash law portion of the analyzed ordinances are either “well done” or “sufficient.” Nine out of twelve of the identification and licensing portion of the analyzed ordinances were “well done” or “sufficient.” Three out of twelve of the anti-chaining requirements portion of the ordinances are either “well done” or “sufficient” (see Table 4.4).

**Table 4.4: Number of Ordinances for Ensuring Safety by City Size that were Sufficient or Well Done in this Category**

<b>Ensuring Safety</b>	Extra-Large	Large	Medium	Small
Leash Law	6	11	14	12
Identification/Licensing	6	12	11	9
Anti-chaining	3	3	12	3
N=	6	12	14	12

### **Dog Threats**

Dog threats are another fundamental element in an ordinance. The vicious/dangerous dog section was “well done” or “sufficient” in 89% of the ordinances. Mandatory sterilization was “well done” or “sufficient” in 27% of the ordinances. This indicates that the majority of the

ordinances that were analyzed need improvement on the dangerous/vicious dog section and mandatory sterilization section of the ordinances (see Table 4.5).

**Table 4.5 Overall Dog Threats**

<b>Dog Threat</b>	Not Included	Insufficient	Sufficient	Well Done	Total percentage N=44
Vicious/Dangerous Dogs	2%	9%	32%	57%	100
Mandatory Sterilization	73%	0%	18%	9%	100

#### **Dog Threats by City Size**

The dog threat section of the ordinance in the extra-large cities earned a fairly high rating for the vicious/dangerous and mandatory sterilization of the vicious and dangerous dog sections in their animal ordinances. Six out of six, or 100%, of the vicious and dangerous dog portion of the analyzed ordinances are either “well done” or “sufficient.” Four out of six, or 67%, of the mandatory sterilization portions of the analyzed ordinances were “well done” or “sufficient” (see Table 4.6).

The dog threat section of the ordinances in the large cities earned a fairly high rating for their vicious and dangerous dog sections of the ordinance, and a low rating for the mandatory sterilization of the vicious and dangerous dog sections in their animal ordinances. Ten out of twelve of the vicious and dangerous dog portion of the analyzed ordinances are either “well done” or “sufficient.” Four out of twelve of the mandatory sterilization portion of the analyzed ordinances were “well done” or “sufficient” (see Table 4.6).



The dog threat sections of the ordinance in the medium cities earned a high rating for their vicious and dangerous dog sections of the ordinances, and a low rating for the mandatory sterilization of the vicious and dangerous dog sections in their animal ordinances. Thirteen out of fourteen of the vicious and dangerous dog portion of the analyzed ordinances are either “well done” or “sufficient.” Three out of fourteen of the mandatory sterilization portion of the analyzed ordinances were “well done” or “sufficient” (see Table 4.6).

The dog threat sections of the ordinance in the large cities earned a fairly high rating for their vicious and dangerous dog sections of the ordinances, and an extremely low rating for the mandatory sterilization of the vicious and dangerous dog sections in their animal ordinances. Ten out of twelve of the vicious and dangerous dog portion of the analyzed ordinances are either “well done” or “sufficient.” One out of twelve of the mandatory sterilization portion of the analyzed ordinances was “well done” or “sufficient” (see Table 4.6).

**Table 4.6: Number of Ordinances for Dog Threats by City Size that were Sufficient or Well Done**

<b>Dog Threat</b>	Extra-Large	Large	Medium	Small
Vicious/Dangerous Dogs	6	10	13	10
Mandatory Sterilization	4	4	3	1
N=	6	12	14	12

### **Breed-Specific Legislation**

No city analyzed had language in their ordinance that banned a specific breed. None of the cities analyzed have breed-specific legislation or breed-specific requirements in their language, all of the cities analyzed were coded as “well done.”

## **Summary**

This chapter summarizes the results of the content analysis of the 44 municipal animal ordinances used in this study. Interestingly, the extra-large cities scored the highest average of almost all fundamental elements mentioned in this study. An overall analysis found that while several of the cities were thorough with key elements such as the rabies vaccine requirements and leash laws, there is a definite need for improvement in the antibody titer section, the anti-chaining section, and the mandatory sterilization of the vicious and dangerous dog section. The content analysis identifies which ordinances are well done, sufficient, insufficient, or not included. Chapter 5 provides a conclusion as well as recommendations on these results.

## Chapter 5: Conclusion

### Purpose

This chapter presents a general overview of the results of the research. It also suggests directions for future research on this topic.

### Summary

The purpose of this research is to describe and assess the key elements in municipal animal ordinances and analyze the results. The overall findings of the content analysis by descriptive category are listed in Table 5.1.

**Table 5.1 Overall Findings: The Number and Percentage of Cities that were Coded “Well Done” or “Sufficient” on the Ordinance Categories.**

<b>Ensuring Health</b>	# Extra-Large	# Large	#Medium	#Small	Total sample %
Rabies	6	12	14	12	100%
Anti-body Titers	0	0	0	0	0%
Fecal Matter Requirements	5	7	10	5	61%
<b>Ensuring Safety</b>					
Leash Law	6	11	14	12	98%
Identification/Licensing	6	12	11	9	86%
Anti-chaining	3	3	12	3	48%
<b>Dog Threat</b>					
Vicious/Dangerous Dogs	6	10	13	10	89%
Mandatory Sterilization	4	4	3	1	27%
<b>Breed Specific Restrictions</b>	0	0	0	0	0%
N=	6	12	14	12	44%

## **Ensuring Health**

Ensuring health is a fundamental element of an animal ordinance as it is one of the goals of a municipal government. One Hundred Percent of the cities' rabies regulations met "well done" or "sufficient" criteria. No cities regulated antibody titers. Only 61% of the city ordinances contained fecal matter requirements that were "well done" or "sufficient." Improvements on the fecal matter sections and adding a section on anti-body titers in the ordinances would be beneficial for the people and pets within the communities.

## **Ensuring Safety**

An additional, fundamental key element to an ordinance is to ensure safety. Safety is important in order to protect the citizens in the community. In the leash law section of the analysis, 98% of the total ordinances rank as "well done" or "sufficient." In the identification and licensing portion of the analyzed ordinances, 86% were "well done" or "sufficient." While 48% of the analyzed ordinances for the anti-chaining requirements were "well done" or "sufficient." Over half of the analyzed ordinances do not include anti-chaining requirements. Including these requirements in the ordinances would be beneficial for the people and pets in the communities.

## **Dog Threats**

Dog threats in the community need to be eliminated and ordinances with strong "dog threat" subject matter are essential. When analyzing the ordinances, it was discovered that 89% of the vicious and dangerous chapter in ordinances are categorized as "well done" or "sufficient." Mandatory sterilization of dangerous and vicious dog is relatively low, as only 27% of the ordinances are ranked as "well done" or "sufficient." Mandatory sterilization of the dogs

in the analyzed ordinances was low. Mandatory sterilization of animals that are labeled vicious and/or dangerous is an important element that would benefit a community and these requirements should be included in the Texas municipal ordinances.

### **Recommendations**

It is recommended that city administrators add antibody titers into their municipal animal ordinances. This key element would be beneficial for the pets in the community, especially those that are aging and/or not tolerant of vaccinations. None of the ordinances that were analyzed for this study mentioned the antibody titer. The antibody titer is an innovative way to prevent over-vaccination of animals, while maintaining the rabies antibody and adhering to the anti-rabies standards protocol.

In general, the anti-chaining aspect of the animal ordinances were extremely poor. It is recommended that city administrators and policy makers review this section of the ordinances and implement anti-chaining laws. These laws have the ability to create a safer environment for the citizens in the community as well as their pets. Chaining dogs does not benefit the citizens within the community, as dog attacks are more likely to occur when dogs are chained.

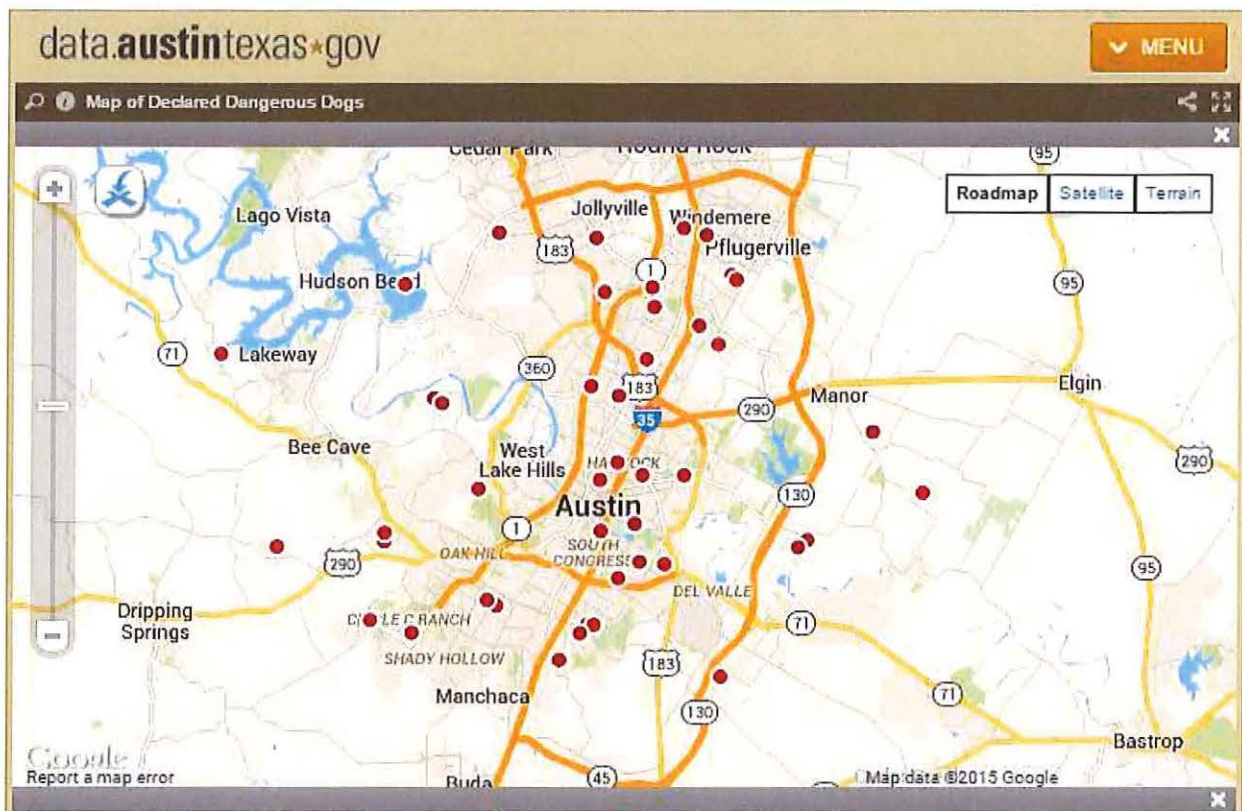
Texas cities should consider mandating the sterilization of vicious and dangerous dogs. Reproduction by dogs that are labeled vicious and dangerous is not recommended, therefore mandating their sterilization helps prevent more unwanted vicious and dangerous dogs in the community. An additional benefit to this mandate also helps reduce the aggressive tendencies of the dog.

Another helpful improvement would be for the municipal governments to create an interactive map and place dogs that are labeled as “vicious” and/or “dangerous” by the animal



control officers, so people in the community know where the dogs live. The City of Austin created one for their website (see Figure 5.2). It is similar to a sex offender registry. Revisiting the policies for sterilization of the animals that are deemed vicious and dangerous is also recommended.

**Figure 5.2 Map of Declared Dangerous Dogs**



Source: <http://www.austintexas.gov/department/dangerous-and-vicious-dogs>

Other recommendations include making the fecal matter requirements more uniform in the Texas city ordinances. Fecal matter in the waterways and on the ground spreads diseases, which are eliminated by picking up the fecal matter and disposing of it properly.

It is understandable that enforcement of the laws is an issue, as many of the key elements in ordinance may not be easily enforceable. However, creating them and implementing them may help prevent and/or educate people with animals living in their homes.

Spaying and neutering all pets can help reduce the number of animals that are turned into the shelter. There are millions of animals in shelters all over the world, spaying and neutering can help stop the overcrowding of shelters.

**Figure 5.3 Animal Overpopulation Statistics**



Source: [http://www.azhumane.org/wp-content/uploads/Spayneuter\\_overpop.png](http://www.azhumane.org/wp-content/uploads/Spayneuter_overpop.png)

### **Best Practice Ordinance: Austin**

The City of Austin's animal ordinance is one of the "best practice" ordinances analyzed in this study (see appendix C). The requirements in this ordinance are thorough, clear, and detailed. There is no vague verbiage. For example, in chapter 3-3, section 1 the rabies requirements are detailed. Quarantine information is included and it mentions the owners' duty

to treat bites by a rabid animal. Another example is in chapter 3-4 section 1, the restraint requirements section of the ordinance. The ordinance clearly states that restraining an animal is not allowed, unless a person is holding the leash. This eliminates chaining dogs. The ordinance also mentions in chapter 3-4, section 4 the public areas where restraint is not required and it lists the areas where this activity is allowed. In chapter 3-4, section 7 the vicious dog requirements are clearly defined. There is also a section on the requirements for proper care of animals.

In addition to Austin, there are other city ordinances stood out during this study. Fort Worth, Dallas, Houston, Arlington, Corpus Christi, and Waxahachie all ranked well in this study. The city of Temple and Harker Heights both have sections in their ordinance on cruelty to animals as well as the requirements if an animal is struck by a vehicle. This is important for several reasons: rendering aid to the animal could save the animal's life and ensure the animal is out of harm's way, as well as potentially preventing a wreck with another vehicle in the event someone swerves to avoid the animal in the road. Wichita Falls' ordinance included a section on foster home requirements. Other cities with ordinances that include "inhumane treatment of animals" or "cruel treatment of animals" are Kyle, Killeen, Frisco, Lubbock, Abilene, Plano, San Antonio, and Lewisville. Including these various components in an animal ordinance provides clear requirements for people with pets to properly care for the animals that live in their home.

### **Future Research**

Finally, future research on this topic may aim to include adding additional key elements that should or should not be required in municipal ordinances. This research focuses on a smaller subset of what elements make up animal ordinances. Content analysis discovered other elements that were not included into the conceptual framework for this research project. One example, which is in the Harker Heights and Temple animal ordinances, would be to require drivers that



accidentally hit animals to stop, move the animal to a safe location, and call local authorities. In addition, there were other ordinances that included animal cruelty regulations. It is recommended that researchers create a more all-encompassing list for animal ordinances.

The cities in the State of Texas created and implemented animal ordinances that are able to establish and maintain health and safety in the communities. However, some issues remain that need to be fixed. Research focusing on key elements that should and should not be in a municipal animal ordinance can benefit the community and their pets, as a whole. Cities may want to utilize the research findings in the future when they are amending such ordinances.

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## Appendix

<b>Appendix A:</b>		
Coding Score Rating	What it means	Rationale
0	Not mentioned	Not in document
1	Insufficient	Item was briefly mentioned, but inadequately discussed
2	Sufficient	Item was mentioned and adequately discussed
3	Well Done	The presentation of this item was comprehensive and clear

### Appendix B: Coding Sheets for all of the cities' ordinances in this study

Descriptive Category	Coding Category			
City: Abliene				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2: Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	117,063			
V11: Region*	6			
V12: Number of pages in the ordinance	18			
V13: Year ordinance was amended	2005			
V14: Budget per capita	691.35			



Descriptive Category		Coding Category		
City: Alton (Hidalgo County)				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2: Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	12,341			
V11: Region*	12			
V12: Number of pages in the ordinance	15			
V13: Year ordinance was amended	1989			
V14: Budget per capita	980.47			
Descriptive Category		Coding Category		
City: Arlington				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2: Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	365,438			
V11: Region*	8			
V12: Number of pages in the ordinance	93			
V13: Year ordinance was amended	2012			
V14: Budget per capita	582.86			



Descriptive Category		Coding Category			
City: Austin					
Ensuring Health	0	1	2	3	
V1: Rabies	Not included	Insufficient	Sufficient	Well Done	
V2: Antibody Titers	Not included	Insufficient	Sufficient	Well Done	
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done	
Ensuring Safety					
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done	
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done	
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done	
Dog Threat					
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done	
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done	
Banning Breeds					
V9: Specific Breed Restrictions	Included	Not Included			
City Characteristics					
V10: Population Size	790,390				
V11: Region*	10				
V12: Number of pages in the ordinance	24				
V13: Year ordinance was amended	1992				
V14: Budget per capita	4428.19				
Descriptive Category		Coding Category			
City: Bedford					
Ensuring Health	0	1	2	3	
V1: Rabies	Not included	Insufficient	Sufficient	Well Done	
V2: Antibody Titers	Not included	Insufficient	Sufficient	Well Done	
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done	
Ensuring Safety					
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done	
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done	
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done	
Dog Threat					
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done	
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done	
Banning Breeds					
V9: Specific Breed Restrictions	Included	Not Included			
City Characteristics					
V10: Population Size	46,979				
V11: Region*	8				
V12: Number of pages in the ordinance	24				
V13: Year ordinance was amended	2013				
V14: Budget per capita	1362.31				

Descriptive Category		Coding Category		
Bellaire				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	16,855			
V11: Region*	14			
V12: Number of pages in the ordinance	11			
V13: Year ordinance was amended	2010			
V14: Budget per capita	1904.48			
Descriptive Category		Coding Category		
Brownsville				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	175,023			
V11: Region*	12			
V12: Number of pages in the ordinance	16			
V13: Year ordinance was amended	2006			
V14: Budget per capita	548.50			



Descriptive Category		Coding Category		
City: Bryan				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2: Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	76,201			
V11: Region*	10			
V12: Number of pages in the ordinance	14			
V13: Year ordinance was amended	2007			
V14: Budget per capita	4985.50			
Descriptive Category		Coding Category		
City: Canyon (Amarillo's Ordinance)				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2: Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	13,303			
V11: Region*	2			
V12: Number of pages in the ordinance	17			
V13: Year ordinance was amended	2014			
V14: Budget per capita	1195.21			

Descriptive Category		Coding Category		
City: Conroe				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	56,207			
V11: Region*	14			
V12: Number of pages in the ordinance	6			
V13: Year ordinance was amended	2007			
V14: Budget per capita	2458.77			
Descriptive Category		Coding Category		
City: Corpus Christi				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	305,215			
V11: Region*	11			
V12: Number of pages in the ordinance	30			
V13: Year ordinance was amended	2013			
V14: Budget per capita	2719.39			



Descriptive Category		Coding Category		
City: Dallas				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	1,197,816			
V11: Region*	13			
V12: Number of pages in the ordinance	22			
V13: Year ordinance was amended	2008			
V14: Budget per capita	2337.58			
Descriptive Category		Coding Category		
City: Dickinson				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	18,680			
V11: Region*	14			
V12: Number of pages in the ordinance	22			
V13: Year ordinance was amended	2008			
V14: Budget per capita	786.94			



Descriptive Category	Coding Category			
City: Duncanville				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	38,524			
V11: Region*	13			
V12: Number of pages in the ordinance	14			
V13: Year ordinance was amended	2008			
V14: Budget per capita	622.99			

Descriptive Category	Coding Category			
City: El Paso				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	649,121			
V11: Region*	4			
V12: Number of pages in the ordinance	28			
V13: Year ordinance was amended	2012			
V14: Budget per capita	1272.49			

Descriptive Category		Coding Category		
City: Fort Worth				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	741,206			
V11: Region*	8			
V12: Number of pages in the ordinance	37			
V13: Year ordinance was amended	2012			
V14: Budget per capita	2023.73			
Descriptive Category		Coding Category		
City: Friendswood				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	35,805			
V11: Region*	14			
V12: Number of pages in the ordinance	23			
V13: Year ordinance was amended	2010			
V14: Budget per capita	1362.94			



Descriptive Category	Coding Category			
City: Frisco				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	116,989			
V11: Region*	13			
V12: Number of pages in the ordinance	35			
V13: Year ordinance was amended	2006			
V14: Budget per capita	3017.37			

Descriptive Category	Coding Category			
City: Gainesville				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	16,002			
V11: Region*	8			
V12: Number of pages in the ordinance	14			
V13: Year ordinance was amended	2013			
V14: Budget per capita	1537.3			

Descriptive Category	Coding Category			
City: Grand Prairie				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	175,396			
V11: Region*	8			
V12: Number of pages in the ordinance	24			
V13: Year ordinance was amended	2014			
V14: Budget per capita	1710.41			

Descriptive Category	Coding Category			
City: Harker Heights				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	26,700			
V11: Region*	9			
V12: Number of pages in the ordinance	16			
V13: Year ordinance was amended	2014			
V14: Budget per capita	1378.28			



Descriptive Category		Coding Category		
City: Highland Village				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2: Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	15,056			
V11: Region*	13			
V12: Number of pages in the ordinance	23			
V13: Year ordinance was amended	1999			
V14: Budget per capita	2344.58			
Descriptive Category		Coding Category		
City: Houston				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2: Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	2,099,451			
V11: Region*	14			
V12: Number of pages in the ordinance	64			
V13: Year ordinance was amended	2014			
V14: Budget per capita	2476.84			



Descriptive Category	Coding Category			
City: Killeen				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	127,921			
V11: Region*	9			
V12: Number of pages in the ordinance	31			
V13: Year ordinance was amended	2014			
V14: Budget per capita	720.76			

Descriptive Category	Coding Category			
City: Kyle				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	28,016			
V11: Region*	10			
V12: Number of pages in the ordinance	43			
V13: Year ordinance was amended	2012			
V14: Budget per capita	1956.02			

Descriptive Category		Coding Category		
City: LaMarque				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	14,509			
V11: Region*	14			
V12: Number of pages in the ordinance	6			
V13: Year ordinance was amended	2011			
V14: Budget per capita	1137.25			
Descriptive Category		Coding Category		
City: Lewisville				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	95,290			
V11: Region*	13			
V12: Number of pages in the ordinance	34			
V13: Year ordinance was amended	2009			
V14: Budget per capita	741.95			



Descriptive Category	Coding Category			
City: Lubbock				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	229,573			
V11: Region*	3			
V12: Number of pages in the ordinance	32			
V13: Year ordinance was amended	2013			
V14: Budget per capita	2938.06			

Descriptive Category	Coding Category			
City: McKinney				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	131,117			
V11: Region*	13			
V12: Number of pages in the ordinance	34			
V13: Year ordinance was amended	2009			
V14: Budget per capita	2387.18			

Descriptive Category		Coding Category			
City: Midland					
Ensuring Health		0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done	
V2: Antibody Titers	Not included	Insufficient	Sufficient	Well Done	
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done	
Ensuring Safety					
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done	
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done	
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done	
Dog Threat					
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done	
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done	
Banning Breeds					
V9: Specific Breed Restrictions	Included	Not Included			
City Characteristics					
V10: Population Size	111,147				
V11: Region*	4				
V12: Number of pages in the ordinance	12				
V13: Year ordinance was amended	2006				
V14: Budget per capita	2204.29				
Descriptive Category		Coding Category			
Midlothian					
Ensuring Health		0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done	
V2: Antibody Titers	Not included	Insufficient	Sufficient	Well Done	
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done	
Ensuring Safety					
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done	
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done	
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done	
Dog Threat					
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done	
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done	
Banning Breeds					
V9: Specific Breed Restrictions	Included	Not Included			
City Characteristics					
V10: Population Size	18,037				
V11: Region*	13				
V12: Number of pages in the ordinance	16				
V13: Year ordinance was amended	2005				
V14: Budget per capita	626.49				



Descriptive Category		Coding Category		
City: Missouri City				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	67,358			
V11: Region*	14			
V12: Number of pages in the ordinance	4			
V13: Year ordinance was amended	1998			
V14: Budget per capita	644.32			
Descriptive Category		Coding Category		
City: Pearland				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	91,252			
V11: Region*	14			
V12: Number of pages in the ordinance	18			
V13: Year ordinance was amended	2013			
V14: Budget per capita	2380.22			



Descriptive Category		Coding Category			
City: Plano					
Ensuring Health		0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done	
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done	
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done	
Ensuring Safety					
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done	
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done	
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done	
Dog Threat					
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done	
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done	
Banning Breeds					
V9: Specific Breed Restrictions	Included	Not Included			
City Characteristics					
V10: Population Size	259,841				
V11: Region*	13				
V12: Number of pages in the ordinance	47				
V13: Year ordinance was amended	2012				
V14: Budget per capita	1943.50				
Descriptive Category		Coding Category			
City: Port Lavaca					
Ensuring Health		0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done	
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done	
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done	
Ensuring Safety					
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done	
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done	
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done	
Dog Threat					
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done	
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done	
Banning Breeds					
V9: Specific Breed Restrictions	Included	Not Included			
City Characteristics					
V10: Population Size	12,248				
V11: Region*	11				
V12: Number of pages in the ordinance	9				
V13: Year ordinance was amended	2012				
V14: Budget per capita	1183.87				

Descriptive Category		Coding Category		
City: Rosenberg				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	30,618			
V11: Region*	14			
V12: Number of pages in the ordinance	20			
V13: Year ordinance was amended	2011			
V14: Budget per capita	2171.93			
Descriptive Category		Coding Category		
City: Sachse				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	20,329			
V11: Region*	13			
V12: Number of pages in the ordinance	27			
V13: Year ordinance was amended	2011			
V14: Budget per capita	1269.12			



Descriptive Category		Coding Category		
City: San Antonio				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	1,327,407			
V11: Region*	7			
V12: Number of pages in the ordinance	36			
V13: Year ordinance was amended	2013			
V14: Budget per capita	1808.03			
Descriptive Category		Coding Category		
City: Schertz				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	31,465			
V11: Region*	7			
V12: Number of pages in the ordinance	25			
V13: Year ordinance was amended	2012			
V14: Budget per capita	2034			

Descriptive Category		Coding Category		
City: Stephenville				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	17,123			
V11: Region*	8			
V12: Number of pages in the ordinance	16			
V13: Year ordinance was amended	2007			
V14: Budget per capita	1168.02			
Descriptive Category		Coding Category		
City: Temple				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2:Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chainging	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	66,102			
V11: Region*	9			
V12: Number of pages in the ordinance	19			
V13: Year ordinance was amended	2004			
V14: Budget per capita	1783.61			



Descriptive Category		Coding Category		
City: Vernon				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2: Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	11,002			
V11: Region*	5			
V12: Number of pages in the ordinance	13			
V13: Year ordinance was amended	2008			
V14: Budget per capita	1354.3			
Descriptive Category		Coding Category		
City: Waxahachie				
Ensuring Health	0	1	2	3
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2: Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	29,621			
V11: Region*	9			
V12: Number of pages in the ordinance	23			
V13: Year ordinance was amended	2008			
V14: Budget per capita	1958			



Descriptive Category		Coding Category		
City: Wichita Falls				
Ensuring Health		0	1	2
V1: Rabies	Not included	Insufficient	Sufficient	Well Done
V2: Antibody Titers	Not included	Insufficient	Sufficient	Well Done
V3: Fecal Matter Requirements	Not included	Insufficient	Sufficient	Well Done
Ensuring Safety				
V4: Leash Laws	Not included	Insufficient	Sufficient	Well Done
V5: Identification/Licensing	Not included	Insufficient	Sufficient	Well Done
V6: Anti-chaining	Not included	Insufficient	Sufficient	Well Done
Dog Threat				
V7: Vicious/Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
V8: Mandatory Sterilization of Dangerous Dogs	Not included	Insufficient	Sufficient	Well Done
Banning Breeds				
V9: Specific Breed Restrictions	Included	Not Included		
City Characteristics				
V10: Population Size	104,553			
V11: Region*	5			
V12: Number of pages in the ordinance	35			
V13: Year ordinance was amended	2009			
V14: Budget per capita	545.18			

## Appendix C: City of Austin Animal Ordinance

### TITLE 3. - ANIMAL REGULATION.

#### CHAPTER 3-1. - GENERAL PROVISIONS.

#### ARTICLE 1. - DEFINITIONS.

##### § 3-1-1 - DEFINITIONS.

In this title:

- (1) ANIMAL SHELTER means an impound facility owned, operated, leased or contracted for by the City.
- (2) DANGEROUS ANIMAL means, regardless of the individual animal's age or health:
  - (a) An animal of a species defined as a "dangerous wild animal" in Subchapter E (*Dangerous Wild Animals*), Chapter 822 (*Regulation of Animals*), of the Texas Health and Safety Code; or
  - (b) an animal of any other species of wild or feral mammal or reptile that by its nature or breeding is capable of inflicting serious bodily injury to a human.

- (3) ENCLOSURE means a pen, cage, coop, loft, stable, shed, structure or enclosure used to house a bird, fowl, livestock, or other animal.
- (4) FOWL includes a chicken, turkey, goose, guinea hen, or duck.
- (5) HANDLER means a person who has charge, care, custody, or control of an animal.
- (6) LIVESTOCK means a horse, mule, jack, jennet, cow, bull steer, hog, pig, swine, sheep, or goat, other than a miniature breed.
- (7) MINIATURE LIVESTOCK means livestock that meet the published breed definition for registration by a nationally recognized breeding association.
- (8) OFF-SITE RETAIL SALE means the exchange of consideration for a cat or dog, regardless of the age of the cat or dog, at a location other than where the cat or dog was bred.
- (9) OWNER means a person who owns, feeds, keeps, maintains, or harbors an animal or who knowingly allows an animal to remain on the person's property.
- (10) PET TRADER means a person who exchanges for consideration dogs or cats, including puppies and kittens, regardless of age of the dog or cat. The term excludes the City of Austin animal shelter or a City of Austin animal shelter certified partner or a not for profit 501(c)(3) animal welfare organization registered with the City.
- (11) RESTRAINT used with respect to a dog or cat means:
  - (a) kept in a secure enclosure; or
  - (b) kept under the direct physical control of the animal's owner or handler by a leash, cord, chain, or similar direct physical control.
- (12) RETAIL SALE means the exchange for consideration for a cat or dog, regardless of the age of the cat or dog.
- (13) RUNNING AT LARGE means an animal not:
  - (a) under the direct physical control of its owner or handler; or
  - (b) physically restrained within the premises of its owner or handler.
- (14) SMALL ANIMAL means a small animal kept domestically, including a rabbit, guinea pig, rat, mouse, hamster, or gerbil.

*Source: 1992 Code Sections 3-1-1, 3-1-2, 3-1-3, 3-2-2, 3-2-4, 3-3-1, 3-3-60, and 3-3-90; Ord. 031009-9; Ord. 031211-11; Ord. 20050818-044; Ord. 20070607-011; Ord. 20080228-057; Ord. 20090723-042; Ord. 20101216-024.*

## ARTICLE 2. - ADMINISTRATION.

### § 3-1-11 - HEALTH AUTHORITY.

- (A) Except as otherwise specifically provided, the health authority shall enforce this title.
- (B) The health authority may impound an animal found at large or kept in violation of this title, or a state or local regulation.
- (C) The health authority may enforce the provisions of Chapter 3-5 (*Dangerous Animals*) up to 5,000 feet beyond the City limits.

*Source: 1992 Code Section 3-1-3, and 3-1-7; Ord. 031009-9; Ord. 031211-11.*

### § 3-1-12 - RECORDS.

The health authority shall keep a record of each animal impounded, kept or disposed of by an animal shelter that includes:

- (1) a description of the animal and the date of its impoundment or acceptance;
- (2) the date of sale or disposition;
- (3) the purchase price received from the sale of the animal, and the name and address of the purchaser;
- (4) the amount of fees and expenses incurred or assessed for impound and care of an animal; and
- (5) the name of an animal's owner, if known.

*Source: 1992 Code Section 3-2-15; Ord. 031009-9; Ord. 031211-11.*

#### § 3-1-13 - REVENUE COLLECTION.

The health authority shall deliver revenue collected under this title to the director of finance.

*Source: 1992 Code Section 3-2-12 and 3-3-106; Ord. 031009-9; Ord. 031211-11.*

#### § 3-1-14 - ANIMAL CONTROL SUPERVISOR AND ANIMAL CONTROL OFFICERS.

- (A) The city manager shall appoint an animal control supervisor and one or more animal control officers.
- (B) Except as otherwise provided in this title, the animal control supervisor and an animal control officer shall seize and impound an animal running at large or an animal kept in violation of this title.

*Source: 1992 Code Section 3-2-16 and 3-3-105; Ord. 031009-9; Ord. 031211-11.*

### ARTICLE 3. - ANIMAL SHELTER.

#### § 3-1-21 - IMPOUND FACILITIES.

- (A) The city manager shall establish one or more animal shelters.
- (B) The city manager, through the animal control supervisor, is the designated caretaker of every impounded animal on the date of impoundment.
- (C) Immediately upon intake, as the designated caretaker, the city manager, through the animal control supervisor, is authorized to provide each appropriate aged impounded animal with core immunizations as defined by the Association of Shelter Veterinarian guidelines, by a licensed veterinarian employed by the city or by a person under the veterinarian's supervision, who is familiar with the common infectious diseases affecting dogs and cats of Travis County, along with any other necessary treatment the veterinarian determines is appropriate for the animal.

*Source: 1992 Code Section 3-3-90; Ord. 031009-9; Ord. 031211-11; Ord. 20130829-002.*

#### § 3-1-22 - IMPOUND FEES AND CHARGES.

Except as provided in Section 3-1-23 (*Fee Waivers*), the city manager shall collect a fee prescribed by ordinance from the owner or purchaser of an animal for the cost to:

- (1) seize and impound the animal;
- (2) feed and care for the animal after the first day of impound; and
- (3) implant an identification microchip in accordance with Section 3-1-28 (*Identification Microchip*) or sterilize the animal in accordance with Section 3-1-29 (*Sterilization*); and
- (4) sell the impounded animal.

Source: 1992 Code Sections 3-2-12 and 3-3-91; Ord. 031009-9; Ord. 031211-11; Ord. 20061005-007.

§ 3-1-23 - FEE WAIVERS.

- (A) The city manager or the manager of an animal shelter may waive a fee assessed against an owner reclaiming an impounded animal if:
- (1) the animal shelter intends to destroy the animal;
  - (2) the owner presents a written statement of inability to pay; or
  - (3) the animal is sterile or the owner agrees to sterilize the animal.
- (B) The city manager may waive a fee assessed against a person adopting or rescuing an impounded animal if the animal is:
- (1) unruly, infirm, or sick;
  - (2) aged; or
  - (3) eight weeks of age or younger; and
  - (4) the animal is sterile or the person agrees to sterilize the animal.

Source: 1992 Code Sections 3-3-91 and 3-3-93; Ord. 031009-9; Ord. 031211-11; Ord. 20061005-007.

§ 3-1-24 - RELEASE OF IMPOUNDED ANIMAL.

Except as provided in Section 3-1-23 (*Fee Waivers*), the city manager may not release an animal impounded under this title unless the owner or handler:

- (1) pays all applicable fees, including the impound fee; and
- (2) for a dog or cat, provides proof of current vaccination or vaccinates the animal.

Source: 1992 Code Section 3-3-91; Ord. 031009-9; Ord. 031211-11; Ord. 20090723-042.

§ 3-1-25 - RECLAMATION BY OWNER BEFORE SALE OR DESTRUCTION.

Except as provided in Section 3-5-5 (*Release of Dangerous Animal to Owner*), the owner of an animal impounded under this title may reclaim the animal from the animal shelter at any time before sale or destruction of the animal by paying any fee and expense related to impound.

Source: 1992 Code Sections 3-2-13 and 3-3-91; Ord. 031009-9; Ord. 031211-11.

§ 3-1-26 - DISPOSITION OF AN UNCLAIMED IMPOUNDED ANIMAL.

- (A) Except as provided in Subsection (B) and Section 3-5-4 (*Destruction of a Dangerous Animal*), not earlier than the third business day after an unclaimed animal has been impounded, excluding the date of impound, the health authority may dispose of the animal as authorized by state and local law, including placement, sale, or destruction.
- (B) The health authority may destroy an animal earlier than three business days after the date of impound if the health authority obtains an opinion from a veterinarian stating that the animal is sick or injured and that destruction is necessary to avoid unnecessary suffering by the animal.

Source: 1992 Code Section 3-3-92; Ord. 031009-9; Ord. 031211-11; Ord. 20100729-087.

§ 3-1-27 - REPORTING BY ANIMAL SHELTER.

The manager of an animal shelter shall file monthly reports with the health authority that include:

- (1) the total number of animals impounded;
- (2) the total number of animals destroyed;



- (3) a description of each animal impounded or under care of the animal shelter and the date of its impoundment or acceptance;
- (4) the date of sale or disposition of an animal;
- (5) the purchase price received from the sale of an animal, and the name and address of the purchaser;
- (6) the amount of fees and expenses incurred or assessed for impound and care of an animal; and
- (7) the name of an animal's owner, if known.

*Source: 1992 Code Sections 3-2-15 and 3-3-106; Ord. 031009-9; Ord. 031211-11.*

#### § 3-1-28 - IDENTIFICATION MICROCHIP.

The city manager or the manager of an animal shelter may implant an identification microchip in an impounded animal or a dangerous animal.

*Source: Ord. 20061005-007.*

#### § 3-1-29 - STERILIZATION.

The city manager or the manager of an animal shelter may sterilize an animal if it has been impounded two or more times.

*Source: Ord. 20061005-007.*

### CHAPTER 3-2. - RESTRICTIONS ON ANIMALS.

#### ARTICLE 1. - GENERAL RESTRICTIONS.

##### § 3-2-1 - RUNNING AT LARGE PROHIBITED.

Except as specifically provided in this title, an owner or handler may not allow livestock, fowl, a dog, or other domestic or dangerous animal or reptile to run at large.

*Source: 1992 Code Sections 3-1-3(G), 3-2-2, 3-2-25, and 3-3-2; Ord. 031009-9; Ord. 031211-11.*

##### § 3-2-2 - NOISY ANIMALS.

An owner or handler may not keep an animal that makes frequent or long, continued noise that is disturbing to a person of normal sensibilities.

*Source: 1992 Code Section 3-3-6; Ord. 031009-9; Ord. 031211-11.*

##### § 3-2-3 - COMMERCE IN LIVE ANIMALS.

- (A) A pet trader commits an offense if the pet trader conducts a retail sale in violation of Subsections (E) through (G) of this section.
- (B) A pet trader commits an offense if the pet trader conducts an off-site retail sale.
- (C) A person commits an offense if the person sells, trades, barter, leases, rents, gives away, or displays for a commercial purpose a live animal on a roadside, public right-of-way, or commercial parking lot, or at an outdoor special sale, swap meet, flea market, parking lot sale, or similar event.
- (D) This section does not apply to:
  - (1) the City of Austin animal shelter or a City of Austin animal shelter certified partner, or a not for profit 501(c)(3) animal welfare organization registered with the City; or

- (2) an event primarily for the sale of agricultural livestock such as hoofed animals or animals or fowl commonly raised for food, dairy, or fiber products; or
  - (3) an adoption at which consideration is paid if it occurs at a mobile pet adoption establishment that is operated by an organization that is exempt pursuant to paragraph (D)(1) of this section.
- (E) A pet trader who exchanges a dog or cat for consideration shall pay an animal processing fee prescribed by ordinance, except that the fee is not required for a spayed female or neutered male dog or cat, or a dog or cat certified by a licensed veterinarian to be incapable of breeding or being bred.
- (F) A pet trader shall implant an identification microchip in the dog or cat before an exchange. Registration information regarding the microchip shall be provided to the new owner.
- (G) This subsection prescribes requirements for disclosure of information by a pet trader to a recipient of the dog or cat.
- (1) A pet trader shall deliver to a recipient of a dog or cat at the time of exchange the following information on a form prescribed by the city manager:
    - (a) the breeder's name and address, and license information if the breeder is licensed by the United States Department of Agriculture;
    - (b) the date of the dog or cat's birth;
    - (c) the breed, sex, color, and identifying marks at the time of exchange, if any;
    - (d) a record of each inoculation and worming treatment administered, if any, to the dog or cat, including the date of administration and the type of vaccine or worming treatment;
    - (e) a record of veterinarian treatment or medication received by the dog or cat while in the possession of the pet trader including a receipt or other documentation from a licensed veterinarian documenting the dog or cat was spayed or neutered, if the dog or cat was spayed or neutered; and
    - (f) a document signed by a veterinarian licensed in the State of Texas:
      - (i) stating that the dog or cat has no known disease or illness that adversely affects the health of the dog or cat at the time of the exchange or that is likely to adversely affect the health of the dog or cat in the future; or
      - (ii) describing any known disease or illness that is likely to adversely affect the health of the dog or cat in the future; and
      - (iii) documenting that the veterinarian spayed or neutered the dog or cat, if the veterinarian performed this surgery.
  - (2) A pet trader shall sign the completed form to certify the accuracy of the information, and the recipient of the dog or cat shall sign the completed form to acknowledge receipt of the information.
  - (3) In addition to providing the completed and signed form to the recipient, the pet trader shall verbally disclose the information on the form to the recipient.
  - (4) A pet trader shall:
    - (a) retain a copy of each completed and signed form for a period of not less than two years after the exchange of the dog or cat; and
    - (b) make each completed and signed form available for inspection or copying by a humane officer, animal control officer, or law enforcement officer during business hours.

*Source: 1992 Code Section 3-1-8; Ord. 031009-9; Ord. 031211-11; Ord. 20080228-057; Ord. 20101216-024; Ord. 20121018-024.*

#### § 3-2-4 - HUNTING AND TRAPPING WILD ANIMALS.

- (A) Except as provided in Subsection (B), a person may not:

- (1) knowingly shoot, kill, or hunt a wild animal; or
- (2) use a steel-jawed spring trap or any other type of trap that could injure a trapped animal or person.
- (B) Subsection (A) does not prohibit the use of conventional mouse traps to catch mice and rats.
- (C) It is an affirmative defense to prosecution under this section that the person is:
  - (1) a City employee acting within the course and scope of the person's duty's as a City employee; or
  - (2) acting within the scope of an unexpired permit issued by the director of the Parks and Recreation Department or the director of the Water and Wastewater Department authorizing the person to hunt or trap animals on a wildlife preserve.

*Source: 1992 Code Section 10-1-6; Ord. 031009-9; Ord. 031211-11.*

#### § 3-2-5 - PROPER CARE OF ANIMALS.

- (A) An animal's owner shall keep the animal in a clean, sanitary, and healthy condition.
- (B) An animal's owner or handler shall provide for the animal:
  - (1) regular and adequate amounts of nutritious food that is appropriate for the species and that maintains the animal in good health;
  - (2) a constant and adequate supply of clean, fresh, potable water that keeps the animal hydrated for environmental conditions; and
  - (3) care and medical treatment for injuries, parasites, and diseases that is sufficient to maintain the animal in good health and minimize suffering.
- (C) An animal's owner shall provide the animal with shelter that:
  - (1) is large enough for the animal to enter, stand, turn around, and lie down in a natural manner;
  - (2) keeps the animal dry;
  - (3) provides the animal with natural or artificial shade from direct sunlight;
  - (4) protects the animal from excessive heat and cold and other adverse weather conditions; and
  - (5) is adequately ventilated.
- (D) An animal's owner may not confine the animal to the extent that it is forced to stand, sit, or lie in its own excrement.
- (E) An animal's owner shall regularly maintain the animal and its shelter to prevent odor or a health or sanitation problem.
- (F) An animal's owner shall provide the animal with exercise space that is large enough to prevent injury and keep the animal in good condition.
- (G) It is an affirmative defense to prosecution under this section that the animal's treatment was as directed by a licensed veterinarian.

*Source: Ord. 20061005-007.*

#### § 3-2-6 - SAFETY OF ANIMALS IN MOTOR VEHICLES AND ENCLOSED SPACES.

- (A) A person may not transport an animal in a motor vehicle on a public roadway unless:
  - (1) the animal is safely enclosed within the vehicle; or
  - (2) if the animal is transported in an unenclosed vehicle, including a convertible, pick-up truck, flatbed truck, or motorcycle, the animal shall be confined in a secure and appropriately sized vented container or confined in a manner that prevents the animal from falling or jumping from the vehicle or otherwise being injured.

(B) A person may not keep an animal in a motor vehicle or other enclosed space in which the animal's health or life is endangered by high temperature, low temperature, or inadequate ventilation.

(1) A peace officer or animal control officer may, after attempting to locate the animal's owner, remove the animal from a vehicle or enclosed space using any reasonable means, including breaking a window or lock. If professional services are required to remove the animal, the owner is responsible for the cost.

(2) A peace officer or animal control officer who removes an animal from a vehicle or enclosed space in accordance with this subsection is not liable for any resulting property damage.

*Source: Ord. 20061005-007.*

## ARTICLE 2. - ENCLOSURE REQUIREMENTS.

### § 3-2-11 - ENCLOSURE REQUIRED.

(A) A person may not keep an animal, fowl, bird, or reptile in an enclosure unless the enclosure is:

(1) securely built;

(2) adequately sized for the kind and number of animals, fowl, birds, or reptiles housed in the structure

(3) maintained in a sanitary condition that does not allow flies to breed or cause an odor offensive to an adjacent residence or business; and

(4) in compliance with the applicable requirements of this article.

(B) A person shall keep an animal, fowl, bird, or reptile in an enclosure that meets the requirements of Sections 3-2-12 (*Enclosure for Small Animal*), 3-2-13 (*Enclosure for Dogs*), 3-2-14 (*Enclosure for Livestock*), 3-2-15 (*Enclosure for Miniature Livestock*), 3-2-16 (*Enclosure for Fowl*), or 3-2-17 (*Enclosure for Pigeon or Similar Bird*).

*Source: 1992 Code Section 3-1-1; Ord. 031009-9; Ord. 031211-11.*

### § 3-2-12 - ENCLOSURE FOR SMALL ANIMAL.

(A) An enclosure used to keep more than two but fewer than 10 small animals must be located at least 20 feet from an adjacent residence or business structure, excluding the residence or business of the owner or handler of the small animals.

(B) An enclosure used to keep ten or more small animals must be located at least 50 feet from an adjacent residence or business structure, excluding the residence or business structure of the owner or handler of the small animals.

(C) This section does not apply to an animal shelter, veterinary clinic, pet store, or institutional or education research facility.

*Source: 1992 Code Section 3-1-2; Ord. 031009-9; Ord. 031211-11; Ord. 20131121-020.*

### § 3-2-13 - ENCLOSURE FOR DOGS.

(A) An outdoor enclosure used to keep six or more dogs, other than puppies less than six months old, must be located at least 50 feet from an adjacent residence or business, excluding the residence or business of the owner or handler of the dogs.

(B) An outdoor enclosure used as the primary living area for a dog or used as an area for a dog to regularly eat, sleep, drink, and eliminate must have at least 150 square feet of space for each dog six months of age or older.

*Source: 1992 Code Section 3-1-2; Ord. 031009-9; Ord. 031211-11; Ord. 20070607-011.*



§ 3-2-14 - ENCLOSURE FOR LIVESTOCK.

- (A) Except as provided in Subsection (B), an enclosure used to keep livestock, other than miniature livestock, must be located:
  - (1) at least 100 feet from adjoining residentially zoned property; and
  - (2) at least 50 feet from a structure used for human habitation.
- (B) An enclosure used to keep not more than one livestock animal weighing less than 200 pounds must be located at least 10 feet from a structure used for human habitation, other than a structure owned or occupied by the owner or handler of the livestock.

*Source: 1992 Code Section 3-2-4; Ord. 031009-9; Ord. 031211-11; Ord. 20050818-044.*

§ 3-2-15 - ENCLOSURE FOR MINIATURE LIVESTOCK.

- (A) An enclosure used to keep one or two female or neutered male miniature livestock must be located at least 10 feet from a structure used for human habitation, other than a structure owned or occupied by the owner or handler of the miniature livestock.
- (B) An enclosure used to keep more than two but fewer than six female or neutered male miniature livestock must be located at least 50 feet from a structure used for human habitation.
- (C) An enclosure used to keep six or more female or neutered male miniature livestock, or one or more un-neutered male miniature livestock must be located at least 100 feet from a structure used for human habitation.

*Source: 1992 Code Section 3-2-4; Ord. 031009-9; Ord. 031211-11; Ord. 20050818-044.*

§ 3-2-16 - ENCLOSURE FOR FOWL.

An enclosure used to keep two or more fowl must be located at least 50 feet from a residence or business structure, excluding the residence or business of the fowl's owner or handler.

*Source: 1992 Code Section 3-2-26; Ord. 031009-9; Ord. 031211-11; Ord. 20131121-020.*

§ 3-2-17 - ENCLOSURE FOR PIGEON OR SIMILAR BIRD.

- (A) Except as provided in Section 3-2-63 (*Pigeons or Similar Birds*), a person shall keep a pigeon or other bird in an enclosure that meets the requirements of Section 3-2-11 (*Enclosure Required*).
- (B) An enclosure used to keep two or more but fewer than ten pigeons or birds must be located at least 20 feet from an adjacent residence or business, excluding the residence or business of the owner or handler.
- (C) An enclosure used to keep ten or more but fewer than 100 pigeons or birds must be located at least 50 feet from an adjacent residence or business, excluding the residence or business of the owner or handler.

*Source: 1992 Code Section 3-2-27; Ord. 031009-9; Ord. 031211-11.*

ARTICLE 3. - ANIMALS CAUSING INJURY TO A PERSON.

§ 3-2-31 - AFFIDAVIT OF INJURY AND IMPOUND REQUIREMENT.

- (A) A person injured by an animal may provide an affidavit describing the animal and the injury to the health authority and the owner of the animal causing the injury.
- (B) Not later than 24 hours after receiving an affidavit of injury, the health authority shall direct that the animal be impounded at:

- (1) an animal shelter;
  - (2) if requested by the animal's owner or handler, a kennel or a facility maintained by a veterinarian who agrees to confine the animal under this article; or
  - (3) another location approved by the health authority.
- (C) Except as provided in Subsection (D), the owner or handler of an animal impounded under this section shall pay all costs related to the animal's impound, care, and feeding, including any impound fee.
- (D) The person injured by an animal impounded under this section shall pay all costs related to the animal's impound, care, and feeding, including any impound fee, if the injury occurred when the animal:
- (1) is physically restrained on the premises of its owner or handler; and
  - (2) has a current rabies vaccination.

*Source: 1992 Code Section 3-1-4; Ord. 031009-9; Ord. 031211-11.*

#### § 3-2-32 - RELEASE OR DESTRUCTION OF ANIMAL CAUSING INJURY.

- (A) The health authority may not release an animal confined under this article unless the health authority receives a certificate signed by a veterinarian certifying that the animal is free of transmissible rabies and has received all vaccinations required under this title.
- (B) If the owner or handler of an animal confined to the care of a veterinarian under this article fails or refuses to claim the animal from the veterinarian or authorize the veterinarian to vaccinate the animal as required by this title, the veterinarian shall release the animal to the animal control supervisor.
- (C) The health authority may dispose of or destroy an animal confined under this article in accordance with Section 3-1-26 (*Disposition of an Unclaimed Impounded Animal*).

*Source: 1992 Code Section 3-1-4; Ord. 031009-9; Ord. 031211-11.*

#### § 3-2-33 - OWNER COOPERATION REQUIRED.

- (A) On receipt of an affidavit of injury under this article, the owner or handler of an animal subject to the affidavit:
- (1) shall comply with this article; and
  - (2) may not interfere with impound of the animal.
- (B) If the owner or handler of an animal subject to an affidavit of injury refuses to allow the animal to be impounded, the health authority may capture the animal by any reasonable means.

*Source: 1992 Code Section 3-1-5; Ord. 031009-9; Ord. 031211-11.*

### ARTICLE 4. - LIVESTOCK.

#### Division 1. - General Restrictions.

#### § 3-2-41 - GRAZING LIVESTOCK.

A person may not stake livestock at a location or in a manner that allows the animal to graze on or reach a public property.

*Source: 1992 Code Section 3-2-1; Ord. 031009-9; Ord. 031211-11.*

#### § 3-2-42 - HOGS, PIGS, OR SWINE.

A person may not keep more than two hogs, pigs or swine, other than a miniature breed.

*Source: 1992 Code Section 3-2-3; Ord. 031009-9; Ord. 031211-11.*

Division 2. - Impound of Livestock.

§ 3-2-51 - IMPOUND OF LIVESTOCK AT LARGE.

The city manager shall seize livestock running at large and impound the animal in an animal shelter.

*Source: 1992 Code Section 3-2-10; Ord. 031009-9; Ord. 031211-11.*

§ 3-2-52 - NOTICE AND SALE OF IMPOUNDED LIVESTOCK.

(A) The city manager shall post notice of sale of livestock impounded under this article not later than the third day after an animal has been impounded, in the following locations:

- (1) the county courthouse in the county where the animal was seized;
- (2) city hall; and
- (3) a third public location.

(B) Notice under this section must include:

- (1) a full description of the impounded livestock; and
- (2) the date, time, and place of the sale, not less than five days from the date the notice was posted.

(C) The city manager shall sell livestock impounded under this section at public auction to the highest bidder for cash.

*Source: 1992 Code Section 3-2-11; Ord. 031009-9; Ord. 031211-11.*

§ 3-2-53 - PROCEEDS FROM SALE OF LIVESTOCK.

(A) The city manager shall deduct fees established under Section 3-1-22 (*Impound Fees and Charges*) from the proceeds of a sale of livestock under this article.

(B) If sale proceeds exceed the fees authorized by this section, the city manager shall notify the owner of the animal sold that the owner is entitled to the excess proceeds. If the owner fails to claim the excess proceeds within 15 days after the date of the sale, the city manager shall deliver the excess proceeds to the director of finance.

(C) Within six months from the date of a sale of livestock under this article, the owner of the livestock may provide the city manager with proof of ownership and request the excess proceeds, less any cost incurred by the City to confirm ownership.

*Source: 1992 Code Section 3-2-12; Ord. 031009-9; Ord. 031211-11.*

§ 3-2-54 - REDEMPTION BY FORMER OWNER AFTER SALE.

At any time within six months after the date of a sale of livestock under this article, the owner of the livestock impounded and sold may redeem the livestock from the purchaser by paying the purchaser twice the purchase price paid for the livestock plus any reasonable expenses incurred by the purchaser.

*Source: 1992 Code Section 3-2-14; Ord. 031009-9; Ord. 031211-11.*

ARTICLE 5. - BIRDS AND FOWL.

§ 3-2-61 - KILLING OR INJURING A BIRD OR FOWL.

A person may not kill or injure a bird or fowl that does not belong to the person.

*Source: 1992 Code Section 3-2-35; Ord. 031009-9; Ord. 031211-11.*

§ 3-2-62 - EXCEPTION TO REGULATION OF PIGEONS OR SIMILAR BIRDS.

Sections 3-2-17 (*Enclosure for Pigeon or Similar Birds*) and 3-2-63 (*Pigeons or Similar Birds*) do not apply to a veterinary clinic, zoo, shelter, pet store, or educational or institutional research facility.

*Source: 1992 Code Section 3-2-27; Ord. 031009-9; Ord. 031211-11.*

§ 3-2-63 - PIGEONS OR SIMILAR BIRDS.

- (A) A person may not keep more than 100 pigeons or other birds at one location.
- (B) A person may release a pigeon bearing a leg band issued by a recognized association of pigeon fanciers for exercise, performance, or competition.

*Source: 1992 Code Section 3-2-27; Ord. 031009-9; Ord. 031211-11.*

§ 3-2-64 - MOCKINGBIRDS OR OTHER NATIVE SONGBIRDS.

- (A) A person may not kill or injure a mockingbird or other native songbird.
- (B) A person may not rob or destroy the nest of a mockingbird or other native songbird.
- (C) A person may not capture, sell, or offer for sale a mockingbird or other native songbird.

*Source: 1992 Code Section 3-2-36; Ord. 031009-9; Ord. 031211-11.*

CHAPTER 3-3. - RABIES PREVENTION.

§ 3-3-1 - RABIES CONTROL AUTHORITY.

The health authority is designated as the rabies control authority, as required by state law.

*Source: 1992 Code Section 3-1-7; Ord. 031009-9; Ord. 031211-11.*

§ 3-3-2 - VACCINATION REQUIRED FOR A DOG OR CAT.

An owner or handler of a dog or cat shall have the dog or cat inoculated with rabies vaccine as required by state law.

*Source: 1992 Code Section 3-3-25; Ord. 031009-9; Ord. 031211-11; Ord. 20061005-007.*

§ 3-3-3 - CITY-SPONSORED VACCINATION CLINICS.

The health authority may sponsor rabies vaccination clinics.

*Source: 1992 Code Section 3-3-26; Ord. 031009-9; Ord. 031211-11; Ord. 20090723-042.*

§ 3-3-4 - TREATMENT OF IMPOUNDED ANIMAL PROHIBITED.

A person may not knowingly give or cause to be given an anti-rabies treatment or other treatment to an animal impounded for observation under Chapter 3-2, Article 3 (*Animals Causing Injury to a Person*), that could interfere with the clinical or laboratory diagnosis of rabies or modify the course of the disease in the animal.

*Source: 1992 Code Section 3-1-4(D); Ord. 031009-9; Ord. 031211-11.*

§ 3-3-5 - OWNER'S DUTY TO TREAT BITE BY RABID ANIMAL.

A person owning or handling an animal bitten by a potentially rabid animal shall, not later than the seventh day after discovery of the injury:



- (A) give the bitten animal anti-rabies treatment;
- (B) impound the bitten animal for six months in a location approved by the animal control supervisor;  
or
- (C) destroy the bitten animal.

*Source: 1992 Code Section 3-1-5; Ord. 031009-9; Ord. 031211-11.*

#### CHAPTER 3-4. - REGULATION OF DOGS AND CATS.

#### ARTICLE 1. - GENERAL RESTRICTIONS.

##### § 3-4-1 - UNRESTRAINED DOG PROHIBITED.

- (A) Except as provided in Section 3-4-4 (*Public Areas Where Restraint of a Dog is Not Required*), an owner or handler of a dog shall keep the dog under restraint.
- (B) A person holding a dog on a leash or lead shall keep the dog under control at all times.

*Source: 1992 Code Section 3-3-2(A) and (B); Ord. 031009-9; Ord. 031211-11.*

##### § 3-4-2 - RESTRAINT REQUIREMENTS FOR DOGS ON PRIVATE PROPERTY.

- (A) Except as provided in Subsection (B), a person may not restrain a dog with a chain or tether unless the person is holding the chain or tether.
- (B) The prohibition of Subsection (A) does not apply to a temporary restraint:
  - (1) during a lawful animal event, veterinary treatment, grooming, training, or law enforcement activity;  
or
  - (2) that is required 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.
- (C) A person restraining a dog with a chain or tether shall attach the chain or tether to a properly fitting collar or harness worn by the dog. A person may not wrap a chain or tether directly around a dog's neck. A person may not restrain a dog with a chain or tether that weighs more than 1/18 of the dog's body weight. A chain or tether used to restrain a dog must, by design and placement, be unlikely to become entangled.
- (D) A person may not restrain a dog in a manner that does not allow the dog to have access to necessary shelter and water.
- (E) A person may not restrain a dog in a manner that allows the dog to move outside the person's property.
- (F) A person may not keep six or more dogs, other than puppies less than six months old, unless the dogs are kept in an enclosure that meets the requirements prescribed by Section 3-2-13 (*Enclosure for Dogs*).

*Source: 1992 Code Sections 3-1-2 and 3-3-8; Ord. 031009-9; Ord. 031211-11; Ord. 20070607-011.*

##### § 3-4-3 - IMPOUNDMENT OF AN UNRESTRAINED DOG.

A city employee may enter property to impound an unrestrained dog. Except as authorized by subpoena or court order, a city employee may not enter a private residence to impound a dog without first obtaining permission from an adult resident.

*Source: 1992 Code Section 3-3-2(C); Ord. 031009-9; Ord. 031211-11.*

##### § 3-4-4 - PUBLIC AREAS WHERE RESTRAINT OF A DOG IS NOT REQUIRED.

An owner or handler may allow a dog to be without restraint as otherwise required by this title in the following places:

- (1) the portion of Auditorium Shores that is designated by City signs clearly stating the area that is off-leash;
- (2) the portion of Zilker Park bounded by Stratford Drive, Barton Springs Road, and Park River Road;
- (3) the right-of-way of Far West Boulevard between Great Northern Boulevard and Shoal Creek Boulevard;
- (4) the portion of Robert Mueller Municipal Airport land bounded by Old Manor Road, Manor Road, the airport fence, and Lovell Drive;
- (5) Red Bud Isle east of Red Bud Trail;
- (6) the portion of Onion Creek District Park south of Chunn Road;
- (7) the portion of Northeast District Park bounded by Lake Long Road, Crystal Brook Drive, and the Missouri-Kansas-Texas Railroad right-of-way;
- (8) the portion of Walnut Creek District Park bounded by Cedar Bend Drive, Walnut Creek, and the park fence on the west and east sides;
- (9) the portion of Lake Austin Metropolitan Park bounded by Park Drive, the park fence on west side, Turkey Creek, and top ridge of bluff line that overlooks Lake Austin;
- (10) Shoal Creek Hike and Bike Trail from 24th Street to 29th Street; and
- (11) in an area designated by the Director of the Parks and Recreation Department.

*Source: 1992 Code Section 3-3-3; Ord. 031009-9; Ord. 031211-11; Ord. 20130606-026.*

#### § 3-4-5 - DOG OR CAT IN HEAT.

- (A) An owner or handler may not allow a dog that is in heat to be on the street or in a public place, unless the person is in direct physical control of the dog.
- (B) An owner or handler may not allow a cat that is in heat to be outside of a secure building or enclosure unless the owner or handler is in direct physical control of the cat.

*Source: 1992 Code Section 3-3-4; Ord. 031009-9; Ord. 031211-11.*

#### § 3-4-6 - DEFECATION BY A DOG OR CAT.

An owner or handler shall promptly remove and sanitarily dispose of feces left on public or private property by a dog or cat being handled by the person, other than property owned by the owner or handler of the dog or cat.

*Source: 1992 Code Section 3-3-7; Ord. 031009-9; Ord. 031211-11.*

#### § 3-4-7 - VICIOUS DOG.

- (A) An owner or handler shall take reasonable measures to protect the public from accidental contact with a dog that, by nature or by training, is dangerous to people or other animals.
- (B) An owner or handler may not keep or permit a dog to be in the city if the dog has:
  - (1) on at least three separate occasions bitten or scratched a person in the city;
  - (2) on at least one occasion bitten or scratched a person to an extent that the attending physician has presented an affidavit to the health authority stating that the person's life may have been endangered by the dog; or
  - (3) on at least one occasion:
    - (a) killed another dog, cat, or other domestic pet, fowl, or livestock; or

- (b) seriously injured another animal to an extent that an attending veterinarian has presented an affidavit to the health authority stating that the injured animal's life was seriously endangered or taken by the dog, or that the dog caused a significant permanent impairment of the injured animal's basic bodily functions or mobility; provided, however, that when the incident occurred, the injured animal was not in violation of a provision of this title relating to the confinement or physical control of animals in the City.

*Source: 1992 Code Section 3-3-1, and 3-3-5; Ord. 031009-9; Ord. 031211-11.*

ARTICLE 2. - RESERVED.

ARTICLE 3. - GUARD DOGS.

Division 1. - General Provisions.

§ 3-4-41 - DEFINITIONS.

In this article:

(1) COMMERCIAL PROPERTY means:

- (a) land or a building zoned or used for a commercial or business use, including a temporary site; or
- (b) a vehicle used for a commercial or business purpose.

(2) GUARD DOG means a dog used to protect commercial property.

(3) HOUSING means a location where a guard dog is kept when the dog is not used to protect commercial property.

*Source: 1992 Code Section 3-3-60; Ord. 031009-9; Ord. 031211-11.*

§ 3-4-42 - EXCEPTION.

This article does not apply to a guard dog used to protect its owner's private residence, unless the residence is located on commercial property.

*Source: 1992 Code Section 3-3-62; Ord. 031009-9; Ord. 031211-11.*

§ 3-4-43 - OTHER REGULATION.

An owner or handler of a guard dog shall comply with the requirements of this title.

*Source: 1992 Code Sections 3-3-61 and 3-3-80; Ord. 031009-9; Ord. 031211-11.*

§ 3-4-44 - HEALTH AUTHORITY.

(A) The health authority shall prescribe rules to protect the public from accidental contact with a guard dog that is transported or used in a vehicle.

(B) The health authority may inspect and examine a guard dog and commercial property using a guard dog as necessary to determine compliance with this article.

(C) The health authority shall prescribe procedures to:

- (1) apply for a guard dog permit;
- (2) inspect property using or housing a guard dog; and
- (3) issue a guard dog identification tag.

*Source: 1992 Code Sections 3-3-61 and 3-3-75; Ord. 031009-9; Ord. 031211-11.*

§ 3-4-45 - SAFETY REQUIREMENTS FOR USE OF A GUARD DOG.

- (A) A person that keeps a guard dog must comply with the safety requirements prescribed by this section.
- (B) A guard dog must be kept in housing completely surrounded by an anti-escape fence or in an anti-escape building.
- (C) The gate or entrance to an area where a guard dog is housed, used, or trained must be locked unless a person is in direct control of the guard dog.
- (D) The area outside a building patrolled by a guard dog must be enclosed with anti-escape devices, and either:
  - (1) a fence not less than six-feet tall constructed out of chain link or an equally secure fencing material, including wood; or
  - (2) a wall.
- (E) Exterior glass must be installed in a building patrolled by a guard dog that is strong enough to prevent the guard dog from breaking through the glass, and any additional protective measures required by the health authority must be taken.
- (F) A person using a guard dog to protect a building or outside area must post signs approved by the health authority at intervals of no greater than 200 feet apart along the perimeter of the property, at each corner of the property, and at each entrance to the building or outside area.
- (G) A person transporting or using a guard dog in a vehicle shall comply with the rules prescribed by the health authority.
- (H) The health authority may require a person to implement additional safeguards to protect the public from accidental contact with a guard dog.
- (I) The health authority may require a sight barrier to break a guard dog's line-of-sight.

*Source: 1992 Code Section 3-3-61; Ord. 031009-9; Ord. 031211-11.*

§ 3-4-46 - HANDLER REQUIRED.

A handler shall be physically present if a guard dog is used on a temporary site or commercial property that does not comply with this article.

*Source: 1992 Code Section 3-3-61; Ord. 031009-9; Ord. 031211-11.*

Division 2. - Guard Dog Permit.

§ 3-4-61 - PERMIT REQUIRED.

- (A) Before a person may use or house a guard dog, the person must obtain a permit for the property.
- (B) The permittee shall display a permit issued under this article at the approved commercial property.

*Source: 1992 Code Section 3-3-75, and 3-3-79; Ord. 031009-9; Ord. 031211-11.*

§ 3-4-62 - PERMIT APPLICATION.

- (A) An application for a permit under this article must include:
  - (1) the business name, address, and telephone number of the commercial property where a guard dog is to be used;
  - (2) the name, address, and telephone number of a handler who will be available for contact 24-hours a day;
  - (3) the number of dogs to be used and a general description of their use;



- (4) the location where a guard dog is to be housed; and
  - (5) any other information required by the health authority.
- (B) A permittee shall immediately notify the health authority of a change to the information required by Subsection (A).

*Source: 1992 Code Section 3-3-76; Ord. 031009-9; Ord. 031211-11.*

#### § 3-4-63 - INSPECTION.

On receipt of an initial or a renewal application, the health authority shall inspect the property where a guard dog is to be used or housed.

*Source: 1992 Code Section 3-3-77; Ord. 031009-9; Ord. 031211-11.*

#### § 3-4-64 - PERMIT FEE AND ISSUANCE.

After the health authority inspects and approves the property where a guard dog is to be used or housed and the applicant pays the permit fee established by ordinance for each approved property, the health authority shall issue a permit for the property.

*Source: 1992 Code Section 3-3-77; Ord. 031009-9; Ord. 031211-11.*

#### § 3-4-65 - PERMIT TERM AND RENEWAL.

- (A) The health authority may issue a permit under this article for a one-year term.
- (B) A person may apply for a renewal permit and pay the renewal fee established by ordinance not later than the 30th day after the expiration of a permit.
- (C) A renewal application must include the information required by Section 3-4-62 (*Permit Application*).

*Source: 1992 Code Section 3-3-78; Ord. 031009-9; Ord. 031211-11.*

#### § 3-4-66 - PERMIT TRANSFER.

- (A) Except as provided in Subsection (B), a person may transfer a permit authorizing the use of a guard dog at one location to a new location operated by the same person or business.
- (B) A person may not transfer a permit under this section unless:
  - (1) the person notifies the health authority at least five business days before the date of the requested transfer;
  - (2) the health authority inspects and approves the new location; and
  - (3) the person submits to the health authority the information required under Section 3-4-62 (*Permit Application*) for the new location.

*Source: 1992 Code Sections 3-3-75 and 3-3-79; Ord. 031009-9; Ord. 031211-11.*

#### § 3-4-67 - GUARD DOG IDENTIFICATION TAG.

- (A) The health authority shall issue a guard dog identification tag for each dog authorized under a permit.
- (B) A person shall affix a guard dog identification tag to the collar of a guard dog.

*Source: 1992 Code Section 3-3-77, and 3-3-79; Ord. 031009-9; Ord. 031211-11.*

#### CHAPTER 3-5. - DANGEROUS ANIMALS.

§ 3-5-1 - DANGEROUS ANIMAL PROHIBITED.

- (A) Except as provided by this article, a person may not keep, raise, harbor, use, possess, have on the person's property, or under the person's control or attempted control a dangerous animal.
- (B) A person must keep a dangerous animal in an enclosure that meets the requirements prescribed by Section 3-2-11 (*Enclosure Required*) to prevent accidental contact with the animal:
  - (1) in a zoo, shelter, museum or educational or medical institution;
  - (2) for temporary public exhibition by a circus, carnival or other traveling exhibition;
  - (3) at or in transit to a licensed veterinary clinic; or
  - (4) if the person holds a license or permit that authorizes the person to attempt to rehabilitate the dangerous animal.

*Source: 1992 Code Sections 3-1-3(A) and (F); Ord. 031009-9; Ord. 031211-11.*

§ 3-5-2 - INSURANCE REQUIRED.

A person permitted to keep a dangerous animal under Subsection 3-5-1(B) (*Dangerous Animal Prohibited*) shall:

- (1) maintain liability insurance in an amount not less than \$500,000 per claim; and
- (2) file proof of insurance with the health authority not later than the 30th day after the animal is brought within the City limits.

*Source: 1992 Code Section 3-1-3(G); Ord. 031009-9; Ord. 031211-11.*

§ 3-5-3 - IMPOUND OF A DANGEROUS ANIMAL.

- (A) The health authority may impound a dangerous animal kept in violation of this section or found at large. The health authority may use reasonable force to safely secure and impound a dangerous animal, including the use of a volunteer.
- (B) The health authority may obtain a search warrant and impound a dangerous animal that the health authority has probable cause to believe is kept in violation of this title.
- (C) The remedies provided in this section are cumulative of other remedies available at law or in equity.

*Source: 1992 Code Sections 3-1-3(B) and (D); Ord. 031009-9; Ord. 031211-11.*

§ 3-5-4 - DESTRUCTION OF A DANGEROUS ANIMAL.

- (A) The health authority may destroy a dangerous animal running at large if the health authority reasonably believes that the animal's capture may be hazardous due to the nature, disposition or diseased condition of the animal.
- (B) A peace officer may destroy a dangerous animal if the peace officer reasonably believes that the animal presents a threat to a person's life.

*Source: 1992 Code Section 3-1-3(C); Ord. 031009-9; Ord. 031211-11.*

§ 3-5-5 - RELEASE OF DANGEROUS ANIMAL TO OWNER.

- (A) The health authority may not release a dangerous animal to its owner or handler unless the owner or handler:
  - (1) pays all fees and charges assessed under this title, including the actual cost of care and feeding incurred by the animal shelter; or
  - (2) makes payment arrangements acceptable to the health authority.

- (B) The health authority may not release a dangerous animal to its owner or handler unless the owner or handler agrees:
- (1) to remove the animal from within the city limits;
  - (2) to confine the animal in a licensed veterinary clinic, zoo, shelter, museum, or educational or medical institution; or
  - (3) to give the animal to a person holding a valid license or permit authorizing an attempt to rehabilitate the dangerous animal.

*Source: 1992 Code Section 3-1-3(E); Ord. 031009-9; Ord. 031211-11.*

#### § 3-5-6 - AFFIRMATIVE DEFENSE.

- (A) Except as provided in Subsections (B) and (C), it is an affirmative defense to a prosecution under this article that a dangerous animal is:
- (1) kept in a zoo, shelter, museum, or educational or medical institution;
  - (2) kept for temporary public exhibition by a circus, carnival, or other traveling exhibition;
  - (3) kept at or in transit to a licensed veterinary clinic; or
  - (4) kept by a person holding a license or permit that authorizes the person to attempt to rehabilitate the dangerous animal.
- (B) A person may assert a defense under this section only if the person has provided proper care for the dangerous animal and securely confined the dangerous animal to prevent contact with humans.
- (C) A person may assert a defense under Subsections (A)(1), (2) or (3) only if the person is in compliance with the requirements prescribed by Section 3-5-2 (*Insurance Required*).

*Source: 1992 Code Sections 3-1-3(F) and (G); Ord. 031009-9; Ord. 031211-11.*

#### § 3-5-7 - RELEASE OR DESTRUCTION OF AN IMPOUNDED DANGEROUS ANIMAL.

- (A) Except as provided by Subsection (B), if the owner or handler of a dangerous animal does not reclaim the animal on or before the seventh day after the date the animal is impounded, the health authority may release custody and control of the animal to an animal shelter or impound facility.
- (B) The health authority may release a dangerous animal for destruction by an animal shelter or impound facility before the deadline prescribed in Subsection (A) if the health authority obtains an opinion from a veterinarian stating that the animal is sick or injured and that destruction is necessary to avoid unnecessary suffering by the animal.
- (C) An animal shelter or impound facility may dispose of, sell or destroy a dangerous animal released by the health authority under this title or state or local regulation.

*Source: 1992 Code Section 3-1-3(H); Ord. 031009-9; Ord. 031211-11.*

### CHAPTER 3-6. - BEEKEEPING.

#### ARTICLE 1. - GENERAL PROVISIONS.

##### § 3-6-1 - DEFINITIONS.

In this chapter:

- (1) APIARY means a place where a bee colony is kept.

- (2) BEE means any stage of the common domestic honey bee, *Apis mellifera* species.
- (3) COLONY means a hive and related equipment and appurtenances including bees, comb, honey, pollen, and brood.
- (4) HIVE means a structure intended to house a colony.
- (5) TRACT means a contiguous parcel of land under common ownership.
- (6) UNDEVELOPED PROPERTY means any property that is not improved or under improvement for human use or occupancy, including property developed as a street or highway, or used for a commercial agricultural purpose.

Source: 1992 Code Section 3-4-1; Ord. 031009-9; Ord. 031211-11.

#### § 3-6-2 - APIARY MAINTENANCE.

- (A) A person shall keep a colony in a Langstroth-type hive with removable frames that is maintained in sound and usable condition.
- (B) A person shall provide a source of water to a colony to prevent the bees from congregating at a water source used by a human, bird, or domestic pet.
- (C) A person shall store or dispose of bee comb or other material removed from a hive in a sealed container, building, or other bee-proof enclosure.

Source: 1992 Code Section 3-4-3, 3-4-5, and 3-4-6; Ord. 031009-9; Ord. 031211-11; [Ord. No. 20141002-012, Pt. 2, 10-13-14](#).

#### Editor's note—

[Ord. No. 20141002-012, Pt. 1, effective October 13, 2014](#), repealed § 3-6-2, which pertained to restrictions and derived from 1992 Code Section 3-4-2; Ord. 031009-9; Ord. 031211-11. Pt. 2 of said ordinance renumbered § 3-6-3 as § 3-6-2

#### § 3-6-3 - HIVE LOCATION.

A person may not locate a hive within 10 feet of the property line of a tract, as measured from the nearest point of the hive to the property line.

Source: [Ord. No. 20141002-012, Pt. 3, 10-13-14](#).

#### § 3-6-4 - CONSTRUCTION OF FLYWAY BARRIER.

- (A) Except as provided in Subsection (B), a person who keeps a colony within 25 feet of the property line of a tract, as measured from the nearest point of a hive to the property line, shall establish and maintain a flyway barrier parallel to the property line.
- (B) A person is not required to construct a flyway barrier if the apiary tract is adjoined by undeveloped property for a distance of at least 25 feet from the property line of the tract that is closest to location of the colony.
- (C) A flyway barrier created under this section must:
  - (1) consist of a solid wall, fence, dense vegetation, or combination of these materials at least six feet high; and
  - (2) extend at least 10 feet beyond the hives on each end of the colony.

Source: 1992 Code Section 3-4-4; Ord. 031009-9; Ord. 031211-11; [Ord. No. 20141002-012, Pt. 4, 10-13-14](#).

#### § 3-6-5 - CONTROL OF AGGRESSIVE COLONY.



- (A) A person shall immediately replace the queen in a colony that exhibits aggressive characteristics, including stinging or attempting to sting without provocation, or a disposition towards swarming. A person required to replace a queen under this subsection shall select the replacement from bee stock bred for gentleness and non-swarming characteristics.
- (B) As required for swarm management, a person may maintain a nucleus colony for each two colonies allowed under this chapter. A person may house a nucleus colony in a structure not exceeding a standard 95/8-inch depth ten-frame hive body with no supers attached. A person shall dispose of or combine a nucleus colony with an authorized colony not later than the 30th day after the date the nucleus colony is acquired.

*Source: 1992 Code Section 3-4-7, and 3-4-8; Ord. 031009-9; Ord. 031211-11.*

#### § 3-6-6 - COLONY DENSITY.

- (A) Except as provided in Subsection (B), a person may not keep more than:
  - (1) two colonies on a tract one-quarter acre or smaller;
  - (2) four colonies on a tract larger than one-quarter acre but smaller than one-half acre;
  - (3) six colonies on a tract one-half acre or more but smaller than one acre;
  - (4) eight colonies on a tract one acre or more.
- (B) A person may keep an unlimited number of colonies on a tract:
  - (1) on which all hives are located at least 200 feet from each property line of the tract; or
  - (2) adjacent to undeveloped property for at least 200 feet from any hive.

*Source: 1992 Code Section 3-4-8; Ord. 031009-9; Ord. 031211-11.*

#### § 3-6-7 - HIVE IDENTIFICATION AND OWNERSHIP.

- (A) Except as provided in Subsection (B), a person shall:
  - (1) brand, paint, or otherwise clearly mark the apiary owner's name or telephone number on at least two hives placed at opposite ends of an apiary; or
  - (2) post a conspicuous sign displaying the apiary owner's name and telephone number at the entrance to the apiary tract.
- (B) A person is not required to place owner identification on or near a colony located on a tract on which the owner resides.

*Source: 1992 Code Section 3-4-9; Ord. 031009-9; Ord. 031211-11.*

#### ARTICLE 2. - ENFORCEMENT AND PENALTIES.

#### § 3-6-21 - INSPECTION OR ENFORCEMENT BY HEALTH AUTHORITY.

- (A) The health authority may inspect an apiary between the hours of 8:00 a.m. and 5:00 p.m. If the owner of the apiary resides on the tract or the owner's name is marked on the colony, the health authority shall attempt to give the owner notice of inspection.
- (B) The health authority may investigate a complaint of a violation of this chapter.
- (C) For enforcement actions under this chapter, the health authority may presume that the person who owns or has a present right of possession or control of a tract on which an unidentified colony is located is the owner of the colony. A person may rebut the presumption of ownership by presenting the health authority with a written agreement identifying the name, address, and telephone number of the owner of the unidentified colony.

Source: 1992 Code Section 3-4-9, 3-4-10, and 3-4-11(A); Ord. 031009-9; Ord. 031211-11.

§ 3-6-22 - DESTRUCTION OF WILD OR ABANDONED BEES.

- (A) The health authority will order relocation of bees described in Subsection (B)(1)—(3) if the relocation of the bees can be done without threatening human or animal health or interfering with the normal use and enjoyment of public or private property.
- (B) If relocation of bees under Subsection (A) is not possible then, without notice and a hearing, the health authority may order destruction of:
  - (1) a colony not residing in a hive;
  - (2) a swarm of bees; or
  - (3) a colony residing in an abandoned standard or man-made hive.

Source: 1992 Code Section 3-4-11(F); Ord. 031009-9; Ord. 031211-11; Ord. 20120322-019.

§ 3-6-23 - NOTICE OF VIOLATION OR HEARING.

- (A) Except as provided in Section 3-6-22 (*Destruction of Wild or Abandoned Bees*), the health authority shall issue written notice to a person the health authority believes to be in violation of this chapter. Notice of violation issued under this section must include:
  - (1) a description of the alleged violation;
  - (2) a description of the required corrective action;
  - (3) a statement that compliance is required within 10 days of the date of the notice; and
  - (4) a statement that the person may request a hearing to determine if a violation of this chapter exists.
- (B) If a person requests a hearing or fails to correct an alleged violation within 10 days of the date a notice of violation is issued, the health authority shall issue a notice of hearing to the person. Notice of hearing issued under this section must include:
  - (1) the date, time and place of the hearing;
  - (2) a description of the alleged violation;
  - (3) a statement that the person may appear in person or through counsel, present evidence, cross examine witnesses, and request that the proceeding be recorded; and
  - (4) a statement that the bees may be ordered relocated, destroyed or removed if the health authority finds a violation of this chapter has occurred.
- (C) Except as provided in Subsection (D), the health authority shall send notice under this section by certified mail.
- (D) If the health authority is unable to locate the owner of a colony, notice under this chapter may be given by:
  - (1) a single publication in a newspaper of general circulation at least five days before the date of the hearing; and
  - (2) posting a notice on the tract where the colony is located.

Source: 1992 Code Section 3-4-11(A), (B), and (C); Ord. 031009-9; Ord. 031211-11; Ord. 20120322-019.

§ 3-6-24 - ENFORCEMENT PROCEDURE.

- (A) The health authority shall conduct a hearing requested under this chapter under the preponderance of credible evidence standard of proof.

- (B) If the health authority finds that a person has committed a violation of this chapter, the health authority may:
  - (1) issue an enforcement order;
  - (2) order that the person's bees be relocated, destroyed or removed not later than the 20th day after the date of the decision; and
  - (3) prohibit the person from locating a colony on the same tract for a period of two years following the date of the decision.
- (C) The health authority may issue a warning if the health authority determines that a person did not intentionally commit a violation and that the person has implemented corrective action sufficient to cure the alleged violation.
- (D) If a person fails to comply with an enforcement order issued under this chapter, the health authority may destroy or relocate a colony subject to the order.
- (E) After destruction or relocation of a colony by the health authority, a person may agree to pay all related expenses and request that the health authority return all usable components of the hive structure that are not damaged or unsafe for use.
- (F) In issuing orders under this section, the health authority will order the relocation of bees, instead of their destruction, if relocation can be done without threatening human or animal health or interfering with the normal use and enjoyment of public or private property.

*Source: 1992 Code Section 3-4-11(D); Ord. 031211-11; Ord. 20120322-019.*

#### § 3-6-25 - APPEAL.

- (A) A person may appeal the health authority's decision under this chapter to a court of competent jurisdiction. An appeal under this section shall stay the health authority's decision.
- (B) The health authority may not require a person to remove a colony subject to a decision under appeal pending the determination of the appeal.

*Source: 1992 Code Section 3-4-11(E); Ord. 031009-9; Ord. 031211-11.*

#### CHAPTER 3-7. - ENFORCEMENT AND PENALTIES.

##### § 3-7-1 - ISSUANCE OF A CITATION.

- (A) A city employee designated by the city manager may issue a citation to the owner of an animal found in violation of this title.
- (B) A citation issued under this section must include:
  - (1) the name and address of the person cited;
  - (2) a description of the offense, including the Code section under which the person is charged;
  - (3) the date of the offense;
  - (4) the location of the offense; and
  - (5) a statement that the person cited promises to appear before the municipal court within 10 days to answer to the citation.
- (C) A person executing a promise to appear does not make an admission of guilt.
- (D) A person who fails to appear in municipal court within 10 days of the date of the citation commits an additional offense under this title.

- (E) A person issued a citation under this title who gives the city employee a false name or address commits an offense under this title.

*Source: 1992 Code Section 3-3-107; Ord. 031009-9; Ord. 031211-11.*

§ 3-7-2 - OFFENSE AND PENALTY.

- (A) A person who violates this title commits a Class C misdemeanor punishable by:

- (1) a fine not to exceed \$500; or
- (2) if the person acts with criminal negligence, a fine not to exceed \$2,000.

- (B) Each day that a violation occurs is a separate offense.

- (C) Proof of a higher degree of culpability than criminal negligence constitutes proof of criminal negligence.

- (D) Except as provided in Subsections (E) and (F), the minimum fine for an offense under this title is \$10.

- (E) The minimum fine for an offense under Chapter 3-5 (*Dangerous Animals*) is \$100.

- (F) The minimum fine for an offense under Section 3-4-1 (*Unrestrained Dog Prohibited*) is \$200 if the animal is not sterilized.

- (G) The minimum fine for an offense under Section 3-2-3 (*Commerce in Live Animals*) is \$200 for each animal sold in violation of the Section.

*Source: 1992 Code Section 3-1-99, 3-2-99, and 3-3-999; Ord. 031009-9; Ord. 031211-11; Ord. 20061005-007; Ord. 20101216-024.*

§ 3-7-3 - INTERFERENCE WITH ENFORCEMENT PROHIBITED.

A person may not interfere with, hinder, or molest a city employee in the performance of the employee's duties under this title.

*Source: 1992 Code Section 3-1-6, and 3-3-108; Ord. 031009-9; Ord. 031211-11.*