

Minutes of the Animal Services Advisory Committee Regular Meeting  
Garland, Texas  
February 1, 2013

The Animal Services Advisory Committee of Garland, Texas convened for a regular meeting at 1:00 pm on Friday, February 1, 2013 in the City Council Work Session Room at Garland City Hall. The following members were present:

Dr. Bill Dunn, Chairperson  
Anita Rushlau  
Yvette Diaz  
Tony Jenkins  
Dennis Wooten  
Robby Neill

Staff Present:

Jason Chessher, Director of Health  
Diana Oats, Animal Services Manager

- Agenda Item 1: Chairperson Dr. Bill Dunn called the meeting to order at 1:02 pm.
- Agenda Item 2: Committee Member Dennis Wooten made a motion to approve the draft minutes from the November 2, 2012 meeting. Committee Member Tony Jenkins seconded the motion which passed unanimously.
- Agenda Item 3: Diana Oats, Animal Services Manager, provided an update on Animal Services community outreach activities that have taken place since the last meeting and discussed upcoming events.
- Agenda Item 4: Jason Chessher, Director of Health, presented an ordinance proposal developed by the ASAC subcommittee which would require sterilization for all animals impounded by Garland Animal Services. Committee Member Robby Neill made a motion to recommend the proposed ordinance change to the City Council for consideration. Committee member Dennis Wooten seconded the motion which passed unanimously. A copy of the proposed ordinance follows the minutes in this document.
- Agenda Item 5: There was one public comment provided by Lee Lutz.
- Agenda Item 6: Future Agenda Items & Meeting Schedule: Chairperson Dr. Bill Dunn directed staff to schedule the next ASAC meeting for Friday, May 3, 2013 at 1:00 pm. No future agenda items were discussed.
- Agenda Item 8: Committee Member Dennis Wooten made a motion to adjourn and Robby Neill seconded the motion. Chairperson Dr. Bill Dunn adjourned the meeting at 1:37 pm.

## Sec. 22.05 Impoundment

(A) Animals subject to impoundment. The following animals may be impounded:

- (1) Cats and dogs not exhibiting evidence of registration as required by [section 22.04](#);
- (2) Any animal infected with a zoonotic disease including, but not limited to, any animal suspected of having been infected by rabies or exposed to rabies;
- (3) Any animal that creates a nuisance, as defined in [section 22.08](#);
- (4) Any animal running at large;
- (5) Any animal kept under conditions or treated in a manner which the Supervisor of Animal Services has reasonable cause to believe is cruel or inhumane;
- (6) Any animal that has bitten a person;
- (7) Any animal found in violation of [section 22.18\(F\)](#) of this article;
- (8) Any animal violating any other provision of this article.

(B) Right of property owner to confine or trap; notification of Animal Services. The owner or occupant of a premises may confine or trap, in a humane manner as approved by the Supervisor of Animal Services, any animal habitually and without consent found upon the premises of such owner or occupant. After confining or trapping an animal, the person confining or trapping the animal shall promptly notify Animal Services. It shall be a violation for any person to confine or trap an animal without promptly notifying Animal Services or to take a trapped animal to any location other than the animal shelter. Trapping done by a feral cat advocacy group that is approved by the Supervisor of Animal Services shall be exempt from this subsection.

(C) Interfering with humane trapping. A person commits an offense if the person interferes with humane confinement or trapping as authorized by this section. Interference includes, but is not limited to, removing cages, releasing confined or trapped animals, removing bait, disabling trap release devices or destroying traps.

(D) Notification of animal owner of impoundment. Animal Services shall make reasonable effort to contact the owner of any impounded animal that is wearing a current registration tag; provided, however, that responsibility for locating an impounded animal is that of the owner.

(E) Reclaiming impounded animals generally. Unless otherwise provided in this section, the owner of an impounded animal may regain possession upon payment of impoundment fees, handling fees and any veterinarian bills incurred by Animal Services for the welfare of the animal and upon compliance with vaccination and registration provisions of this article. An animal that the Supervisor of Animal Services or the City veterinarian has reasonable cause to believe is a dangerous animal may not be reclaimed and shall be disposed of as provided in this article. If the owner cannot provide proof of a current rabies vaccination, the impounded animal must be revaccinated prior to release. The fee for rabies vaccination shall be fifteen dollars (\$15.00). Additional fees may be charged if emergency veterinary services are rendered. Animals less than 12 weeks of age will not require a rabies vaccination prior to release from the animal shelter.

(F) Reclaiming animals impounded for mistreatment. Disposition of animals impounded on the grounds of cruel or inhumane treatment shall be determined by the Supervisor of Animal Services.

(G) Reclaiming animals under rabies quarantine. If an animal is being held under quarantine or observation for rabies, the owner shall not be entitled to regain possession until the animal has been released by the City veterinarian. If the owner of an animal under rabies quarantine has not been identified during the ten-day observation period, the animal may be humanely euthanized, released for adoption or otherwise disposed of as may be deemed appropriate by the Supervisor of Animal Services.

(H) Disposition of unclaimed animals generally. Any animal not reclaimed by the owner, other than dangerous or wild animals, may be humanely euthanized after being impounded for seventy-two (72) hours, except that an animal wearing a current registration tag shall be impounded for six (6) days.

(I) Disposition of impounded dangerous or wild animals. Any impounded dangerous or wild animal, unless there is reason to believe that it has an owner, may be immediately humanely euthanized or otherwise disposed of as may be deemed appropriate by the Supervisor of Animal Services.

(J) Disposition of nursing baby animals. If a nursing baby animal has been impounded without the mother, or if the mother cannot or refuses to provide nutritious milk, then the animal may be immediately euthanized to prevent further suffering.

(K) Adoption of impounded cats or dogs authorized. Any impounded cat or dog not wearing a registration tag may be released for adoption after seventy-two (72) hours, unless the animal is under quarantine. An impounded cat or dog wearing a registration tag may be released for adoption on or after the sixth day of confinement.

(L) Disposition of animal upon direction of owner. An owner may authorize the adoption of an unwanted animal prior to the expiration of seventy-two (72) hours by signing a waiver to that effect in a form to be provided by Animal Services. An owner who does not desire to regain possession of an impounded animal may, upon signing a waiver in a form provided by Animal Services, allow the animal to be immediately euthanized in a humane manner. An owner of an animal that has bitten or scratched a human may authorize the animal to be humanely euthanized and tested for rabies. The owner shall pay a shipping and testing fee established annually by the Supervisor of Animal Services.

(M) Disposition of injured or ill animals. An impounded animal that appears to be suffering from extreme injury or illness may be euthanized or given to a nonprofit humane organization or animal rescue club for the purpose of veterinary medical care, as determined by the Supervisor of Animal Services or the City veterinarian. The Supervisor of Animal Services shall make reasonable efforts to contact the owner of any injured or ill animal that is wearing a current registration tag prior to making a disposition of the animal. The City veterinarian shall have authority to treat or euthanize animals held at the shelter as necessary to prevent the spread of disease in the event of a communicable zoonotic disease outbreak.

(N) Sterilization of impounded animals required. The owner of an impounded dog or cat that is unspayed or unneutered must provide proof of sterilization of the impounded animal within thirty (30) days of the date the animal is reclaimed. It shall be an offense to fail to provide proof of surgical sterilization within thirty (30) days of reclaiming an animal.

(Ordinance 6125, sec. 1, adopted 5/1/07)

**State law references**—Restraint, impoundment and disposition of dogs and cats, V.T.C.A., Health and Safety Code, sec. 826.033; quarantine and impoundment facilities generally, V.T.C.A., Health and Safety Code, sec. 826.051 et seq.

**Sec. 22.06 Impoundment fees; adoption procedure for dogs and cats**

(A) Impoundment fees generally. Impoundment fees shall be as follows:

(1) Class A, dogs and cats, each dog or cat:

	<u>First Impoundment</u>	<u>Second Impoundment</u>	<u>Third Impoundment</u>	<u>Fourth Impoundment</u>
Spayed or neutered	\$25.00	\$35.00	\$45.00	\$55.00
Unspayed or unneutered	\$50.00	\$75.00	\$100.00	\$125.00
	<b>125.00</b>	<b>150.00</b>	<b>175.00</b>	<b>200.00</b>

If an impounded animal is **spayed or neutered and** wearing a valid City registration tag, the first impoundment fee will be waived. If proof of surgical sterilization is provided within **thirty (30) days of the day the animal was reclaimed the owner will receive a \$75.00 refund** ~~(15) days from the date an animal is registered, the difference in impoundment and other fees between a sterilized and an unsterilized dog or cat will be refunded.~~ Dogs and cats under the age of six (6) months shall be charged the sterilized dog or cat impoundment fee. Animals may be exempted from sterilization upon written recommendation from a licensed veterinarian that such alternatives would be harmful or dangerous to the animal; owners of such animals shall be charged the lower impoundment fees for sterilized animals.

(2) Class B, small or miniature livestock; such as goats, sheep, pigs, calves, foals, and animals of the same approximate size and weight, each animal:

<u>First Impoundment</u>	<u>Second Impoundment</u>	<u>Third Impoundment</u>	<u>Fourth Impoundment</u>
\$100.00	\$125.00	\$150.00	\$175.00

(3) Class C, large livestock; such as cattle, horses, ponies, mules, and animals of the size and weight, each animal:

<u>First Impoundment</u>	<u>Second Impoundment</u>	<u>Third Impoundment</u>	<u>Fourth Impoundment</u>
\$100.00	\$125.00	\$150.00	\$175.00

(4) Class D, wild animals, and large exotics, each animal:

<u>First</u> <u>Impoundment</u>	<u>Second</u> <u>Impoundment</u>	<u>Third</u> <u>Impoundment</u>	<u>Fourth</u> <u>Impoundment</u>
\$100.00	\$175.00	\$200.00	\$225.00

(5) Class E, domestic fowl, small exotic animals or other small mammals, such as ferrets, rabbits and hedgehogs, each animal:

<u>First</u> <u>Impoundment</u>	<u>Second</u> <u>Impoundment</u>	<u>Third Impoundment</u>	<u>Fourth</u> <u>Impoundment</u>
\$25.00	\$35.00	\$45.00	\$55.00

Animals not listed above shall be disposed of at the direction of the Supervisor of Animal Services.

(B) Daily handling fees. A daily handling fee shall be charged for every day, or fraction thereof, that an animal is at the animal shelter. Daily handling fees shall be based upon the class of animal enumerated in subsection (A) above, and shall be paid in addition to impoundment fees:

Class A	\$ 5.00
Class B	\$10.00
Class C	\$10.00
Class D	\$15.00
Class E	\$10.00

(C) Quarantine fee. The owner of a warm-blooded animal held in quarantine for observation purposes shall be charged ten dollars (\$10.00) for every day or fraction of a day the animal is at the animal shelter, in addition to applicable impoundment and handling fees. No impoundment fees shall be charged to an owner who voluntarily surrenders an animal to be held for observation. All other fees, including daily handling fees, shall apply.

(D) Adoption procedures.

(1) A person may adopt an animal from Animal Services under the following conditions:

(a) The prospective adopter must complete an animal adoption application in a form to be provided by Animal Services.

(b) The animal to be adopted must be classified as adoptable by the City veterinarian or the Supervisor of Animal Services.

(c) The prospective adopter must have proper facilities to care for the animal.

(d) The animal to be adopted must have been, prior to adoption, sterilized and administered a rabies vaccination by the City veterinarian, where applicable.

(e) The prospective adopter shall pay a fee for adoption of dogs and cats in the amount of eighty dollars (\$80.00). The animal to be adopted will be sterilized, vaccinated for rabies, and provided with a registration tag at the time of adoption. If the animal has previously been sterilized or is medically unable to be sterilized, the adoption fee will be reduced to \$35.00. The fee for adoption of animals other than dogs and cats shall be set by the Supervisor of Animal Services.

(i) If the City veterinarian is unable to spay or neuter an animal prior to adoption, the prospective adopter shall pay a fee of eighty dollars (\$80.00) and shall sign an agreement with the Supervisor of Animal Services to have the animal spayed or neutered at a private veterinary clinic within ninety (90) days of the date of adoption. It shall be an offense to fail to spay or neuter an animal adopted under the provisions of this subsection within ninety (90) days of the receipt of possession of the animal.

(ii) If the animal is spayed or neutered within the time frame specified in the adoption agreement, the adopter shall be issued a refund of forty-five dollars (\$45.00).

(f) Adoption fees shall be based upon the class of animal enumerated in subsection (A) above.

Class B \$50.00

Class C \$150.00

Class D \$150.00

Class E \$10.00

(2) The Supervisor of Animal Services may refuse to allow a person to adopt an animal whom the supervisor has reason to believe does not have proper facilities to contain or care for the animal, as required by this Code or who desires to adopt the animal for the purpose of resale or for purposes other than pet ownership. The supervisor or the City veterinarian may withhold an animal from adoption if the supervisor or the City veterinarian has reason to believe that the animal would be a hazard to persons or other animals.

(E) Burial fee. Any person may request Animal Services to remove dead livestock from the property of that person or bury dead livestock on the property of that person. The fee for removing or burying dead livestock shall not exceed the cost incurred by the City as a result of providing the service.