

Hays County Pet Resource Center Proposal

Facility Workshop and Needs Assessment Report

June 2022



Consult Team

Team Shelter USA, LLC is a national consulting firm helping municipal and private animal shelters reach their full potential. Founder, veterinarian, and animal welfare strategist, Dr. Sara Pizano has helped more than 115 shelters in 24 states, including Texas, improve all systems involving effective public policy, field services and municipal contracts, community safety net programs, population management, and live outcome programs. Dr. Pizano created the consult program for Target Zero, that was used as the basis of the 2019 Pawsitive Outcome Plan by the San Marcos Regional Animal Shelter. She is the author of *The Best Practice Playbook for Animal Shelters*, part of the Open Door Veterinary Collective team, a courtesy faculty member at the University of Florida, Maddie's Shelter Medicine Program, and part of the Maddie's Million Pet Challenge team. Dr. Pizano is a sought-after consultant and speaker, both nationally and internationally. To learn more about Team Shelter USA, please visit: <https://www.teamshelterusa.com/>.

In their 43 years as a firm, **Animal Arts** has established a national reputation for designing award-winning animal care facilities. Creating environments that reduce stress, promote healing, and enhance well-being to increase adoptions, and improve the lives of animals is the primary focus of their process. The importance of the human/animal bond influences all of their designs, creating spaces that also work for shelter staff and visitors. Their goal is to constantly learn and adapt their work to the latest knowledge in animal care and behavior. Their more than 1,400 successful projects include assistance dog campuses, daycare facilities, veterinary hospitals, and numerous animal shelters across the nation and beyond. To learn more about Animal Arts, please visit: <https://www.animalarts.com/>.



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1 Executive Summary

The purpose of the RFP (2022-P02 Consulting Services: Animal Shelter and Animal Services Feasibility Study) is for the consultants to propose an appropriate animal welfare system in Hays County in light of the potential growth the region is experiencing. Both the city of San Marcos and Hays County leadership have indicated thus far that they are not interested in a joint expansion of the current facility or another capital project, so recommendations focus on a new Hays County campus. Interlocal Cooperative Agreements with the cities of Kyle and Buda will depend on negotiations with those municipal entities.

Hays County leadership has a unique opportunity to create a state-of-the-art social services campus serving both people and pets in need that can serve as a model animal welfare system in the U.S. Recommendations in this feasibility study are based on and in line with all reputable animal welfare organizations including the National Animal Control Association, Maddie's Million Pet Challenge Team (Team Shelter USA, Open Door Veterinary Collective, Koret Shelter Medicine Program at the University of California, Davis, and Maddie's Shelter Medicine Program at the University of Florida), Fear Free Sheltering, the Association of Animal Welfare Advancement, Alley Cat Allies, Best Friends Animal Society, the ASPCA, American Pets Alive! and the Humane Society of the United States.

In addition, both Team Shelter USA and Animal Arts have been involved with and contributed to Human Animal Support Services (HASS) since its formation, which is a movement that started in the spring of 2020 to help modernize the animal welfare industry, thereby helping both pets and people in more efficient and compassionate ways.

On April 27th, 2022, Heather Lewis, and Teresa Adams of Animal Arts, along with Dr. Sara Pizano from Team Shelter USA hosted a Needs Assessment Workshop with leaders from Hays County and the San Marcos Regional Animal Shelter (SMRAS) to evaluate the existing shelter facility and operations along with making recommendations regarding a new facility with updated operational standards to serve Hays County into the future.

The following report documents an analysis of the existing facility, recommendations for improvements and capital estimates for a new Hays County Pet Resource Center. Operational guidelines relating to public policy and programming for SMRAS and a new facility along with associated staffing and budgetary needs are also provided. These estimates are made with the understanding that variables such as public-private partnerships and services provided by other animal welfare organizations in the future can make a positive or negative budgetary impact. Numbers provided for the Hays County operation assume a seven-day-a-week operation.

Hays County leadership should decide before the design and build of a new campus if the operation will be outsourced. If an independent non-profit will be sought via an RFP process, it would be ideal to have that organization be part of the development and design of the campus and services.

On April 28th, 2022, Dr. Pizano provided an online presentation with an overview of current industry Best Practice standards and general recommendations for the newly proposed Hays County Pet Resource Center campus (<https://youtu.be/yIjXuZdCI84>). On June 21, 2022, both Dr. Pizano and Heather Lewis will present a summary of recommendations for the Hays County Court and Dr. Pizano was invited to speak at the Kyle city council meeting the evening of June 21, 2022 regarding ordinance revision recommendations.

Recommendations should be considered an addendum to *The Best Practice Playbook for Animal Shelters* (playbook), written by Dr. Sara Pizano that includes general design recommendations by Heather Lewis from Animal Arts, that was provided to all municipal leaders and shelter staff. The following principles should help inform all decisions:

Principles for Design
The traditional role of a municipality is to provide for public and animal safety but a compassionate, lifesaving system is non-negotiable in our society today.
There are far-reaching, positive economic effects of an animal welfare system that address the needs of pets and people that include mental and physical health benefits for both.
A shelter facility should be the last option for pets when all other alternatives for placement have been exhausted.
Most pet owners deeply love and care for their pets, but many have access to care limitations.
Research indicates that most pets entering shelters are from socioeconomically disadvantaged pet owners in underserved communities and proactive programs can dramatically reduce the number of pets entering the shelter.
Proactive program design that dramatically reduces shelter intake informs the right-size, scope, and financial investment of a future facility and is more important than considering the population growth in a community.
A community-foster-based animal welfare system is far preferable than the traditional shelter-centric system as time in a shelter yields negative consequences such as increased costs of care, overcrowding, increased staffing, and facility needs, higher rates of preventable infectious disease, reduced lifesaving potential and therefore waste of both private and public resources.
Current and emerging research, trends, and examples of successful programs should replace judgment, bias, and antiquated opinions about pet owners that are not based on data when designing programs.
Implementing an animal welfare system based in Best Practices yields the most responsible and effective use of all resources.

New Facility Estimates

Below are relevant estimates for the new facility to serve the future of Hays County. The new Pet Resource Center will provide a healthy and functional environment for animals, staff, volunteers, and visitors and will allow Hays County to expand programs to better serve the community.

- Recommended Square Footage
 - 17,749 SF *Pet Resource Center Interior*
 - 5,950 SF *Pet Resource Center Exterior Covered*
 - 4,063 SF *Open Door model access to veterinary care clinic (building includes high volume spay/neuter)*
- Recommended Animal Holding Capacity including Adoption and Holding, but not including Medical Housing
 - 58 *Canines*
 - 47 *Felines*
- Recommended Budget
 - \$17,901,861 *Total Hard Costs*
 - \$ 5,460,067 *Probable Soft Costs*

Total Budget of \$23,361,928 in 2022 Dollars***

**** Note: Based on the project timeframe, 6% per year escalation should be added. Please see the full Budget discussion in Section 10 of this report for details on these budget numbers.*

2 Methods

Prior to the onsite visit the week of April 25, 2022, research was done that included the review of the Texas State Statutes pertaining to animals, local municipal ordinances, demographics and population density, county geography, shelter statistics from SMRAS, field statistics, general budget numbers, and social media. A number of fact-finding meetings were also held with municipal leadership from Hays County, San Marcos, Kyle and Buda, stakeholders, and other area animal welfare organizations.

Key information and data about the number of service calls municipality-wide and the number of animals entering all shelters in Hays County were pertinent in the development of recommendations for a future Pet Resource Center campus. Therefore, during the week of the onsite visit, consultants met with Hays County leadership, city leadership, and field teams from each municipality including the Hays County Sheriff's Office, toured the local non-profit shelters, and met with the SMRAS leadership and staff (groups and individuals in key positions). Time was spent learning about SMRAS current policies, Interlocal Cooperative Agreements, and the operation, as well as the challenges pertaining to the existing facility. This was key in understanding the potential for proactive programs, revisions in public policy and current policies to decrease the need for shelter intakes, and provide appropriate projections for the future.

While there were many positive attributes and great lifesaving progress at SMRAS since the 2019 Pawsitive Outcome Plan, this report will focus on recommendations for improvement in the spirit of ensuring there is a right-sized shelter and campus designed for unincorporated Hays County residents.

3 Statistical Trends

When determining the needs for, and size of a new animal shelter, shelter and field data and trends must be analyzed. Strategies can then be developed to improve outcomes and achieve set goals.

There has been a steady increase in intake over the past several years at SMRAS, in particular for cats. As shown in the next few graphs, most of the intake is made up of felines and adult dogs. This is contrary to industry trends that show shelter intake of both dogs and cats in the U.S. has continued to decline, even since 2019 and the start of the pandemic (https://www.petpoint.com/Industry_Data). This supports the fact that program designs need to be adjusted at SMRAS. In addition to only utilizing shelter space for pets with no other options or who are part of an enforcement case, the length of stay in the shelter is the most crucial Key Performance Indicator to track. That is because more animals can be housed humanely when there is a short length of stay versus housing fewer pets with excessive lengths of stay.

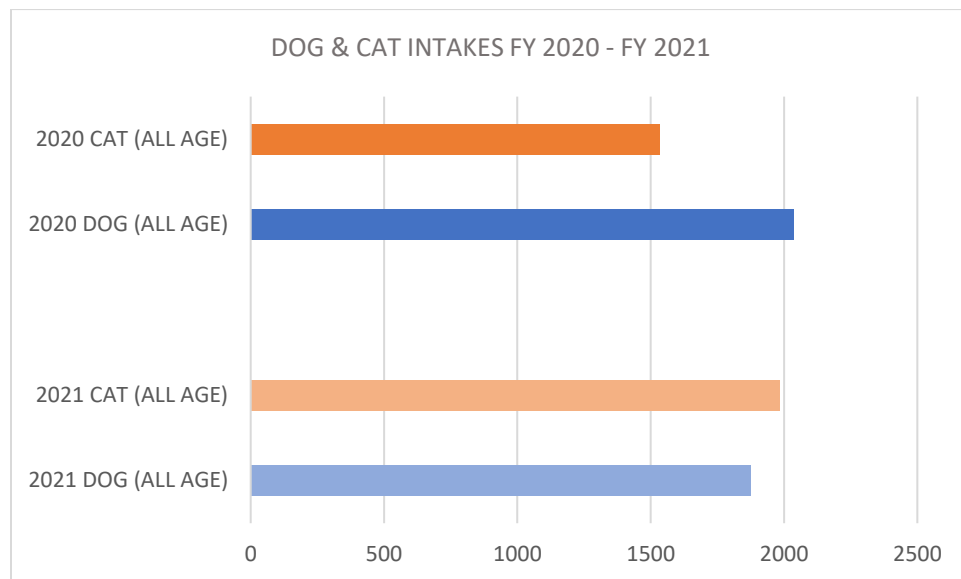


Figure 3.1: SMRAS has had an increase in feline intake of 449 cats from FY 2020 to FY 2021.

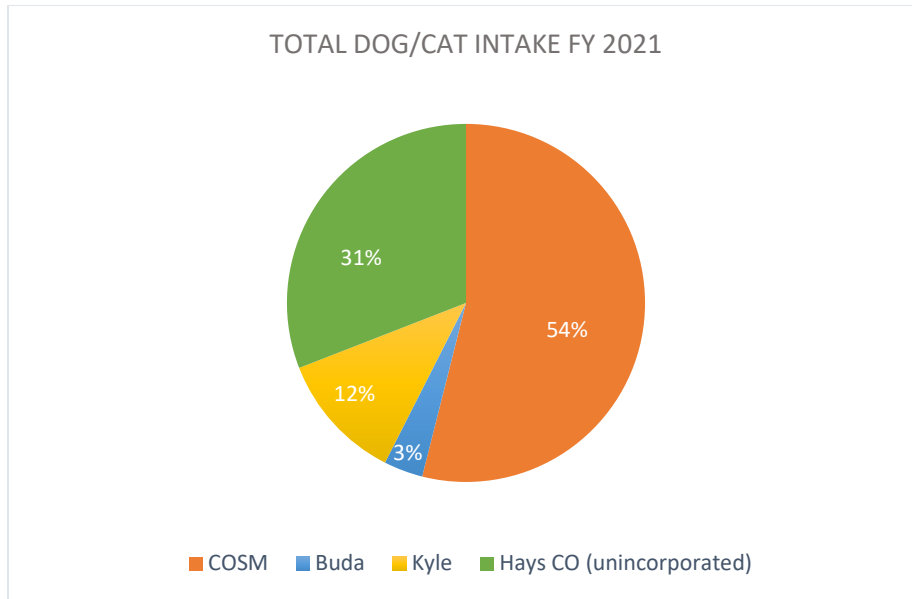


Figure 3.2: Compares the total dog and cat intake at the SMRAS for the fiscal year of 2021 separated by jurisdiction. A total intake of 54% originated from the City of San Marcos, whereas 31% originated from the unincorporated areas of Hays County, which has been fairly consistent year after year.

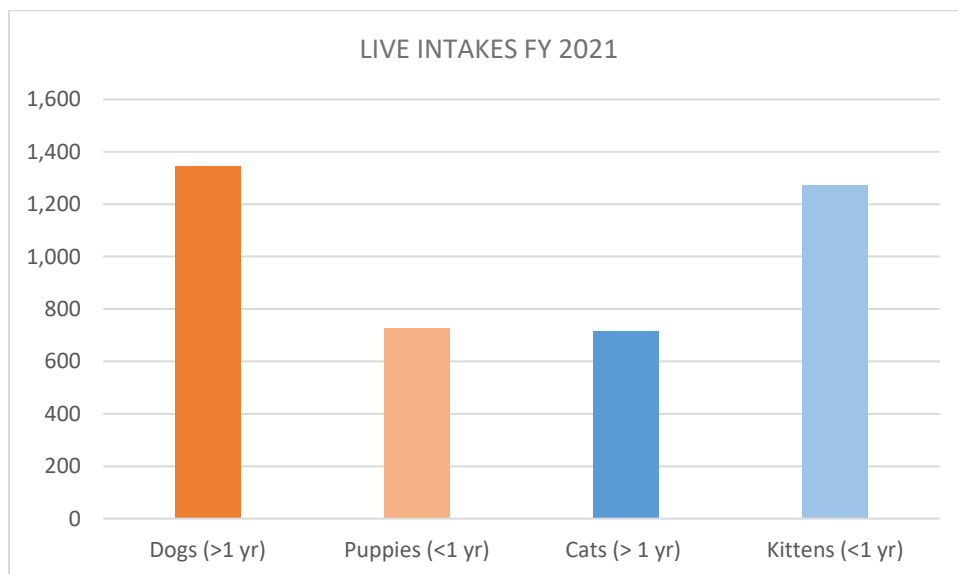


Figure 3.3: Shows the comparison of intake with adult dogs and kittens under a year of age making up approximately twice the intake of puppies under a year of age and adult cats. Proactive reunification, safety net, and targeted spay/neuter programs can dramatically reduce the intake number for both.

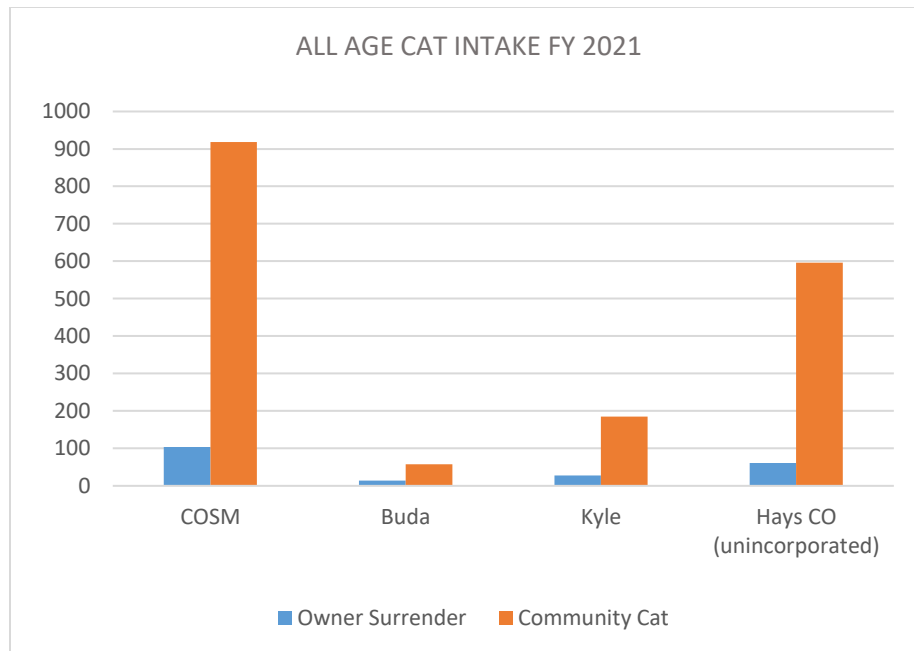


Figure 3.4: Compares the intake of felines between the municipalities with the City of San Marcos (COSM) and unincorporated Hays County responsible for the majority.

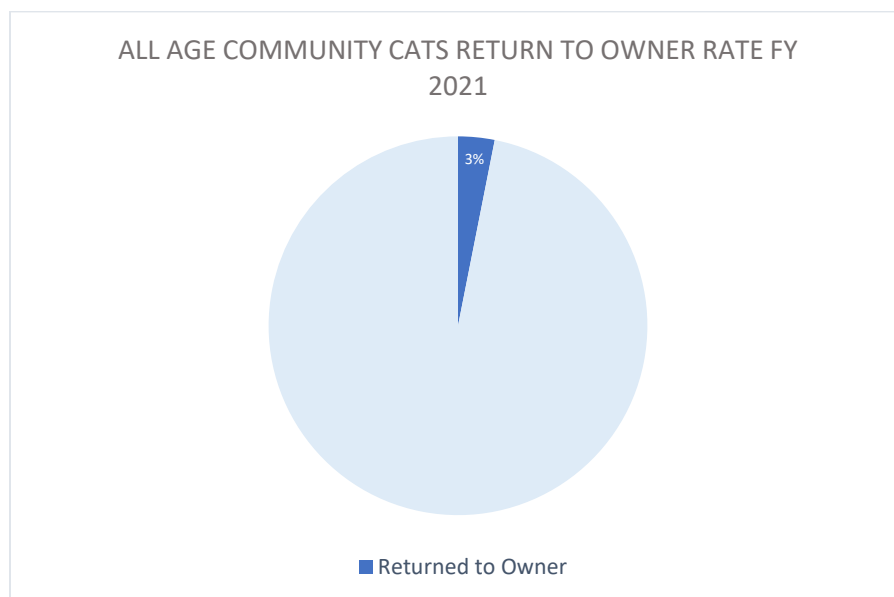


Figure 3.5: The return-to-owner rate of cats entering the shelter as stray at 3% is in line with the national average, which means a stray hold fails to achieve the intended goal 97% of the time (<https://www.americanhumane.org/blog/every-day-is-tag-day-is-your-pet-protected/#:~:text=Each year, approximately 10 million,are reunited with their owners>).

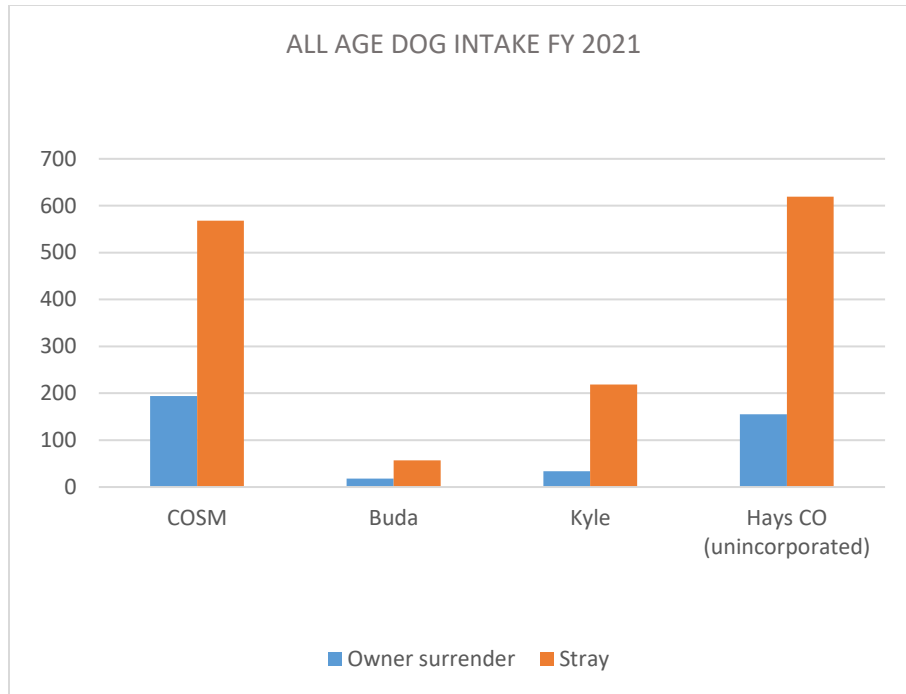


Figure 3.6: Compares the intake of canines between the municipalities with the City of San Marcos (COSM) and unincorporated Hays County responsible for the majority.

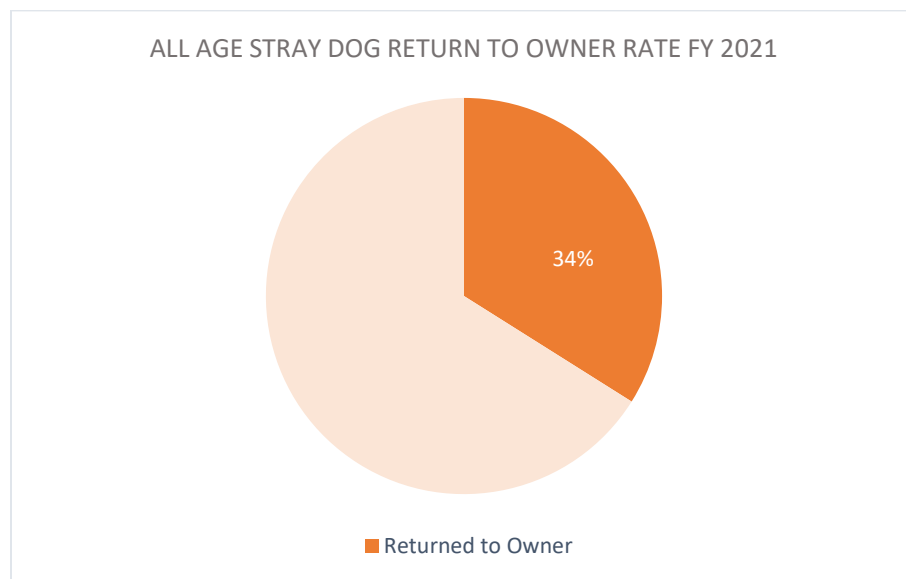


Figure 3.7: The return-to-owner rate of stray dogs entering the shelter is 34%, above the national average of 15-22% (<https://www.americanhumane.org/blog/every-day-is-tag-day-is-your-pet-protected/#:~:text=Each year, approximately 10 million,are reunited with their owners and aspcapro.org>).

4 Demographics

Population growth trends are important to analyze when considering the location of a future Pet Resource Center because these trends imply where services are needed and at what scale. Hays County has experienced a 53 percent growth in population between 2010-2020, bringing the population to more than 255,000 people today. This growth has occurred in three primary areas: the cities of Buda, Kyle, and San Marcos. Currently, the SMRAS which services all of Hays County is located along the I-35 in San Marcos.

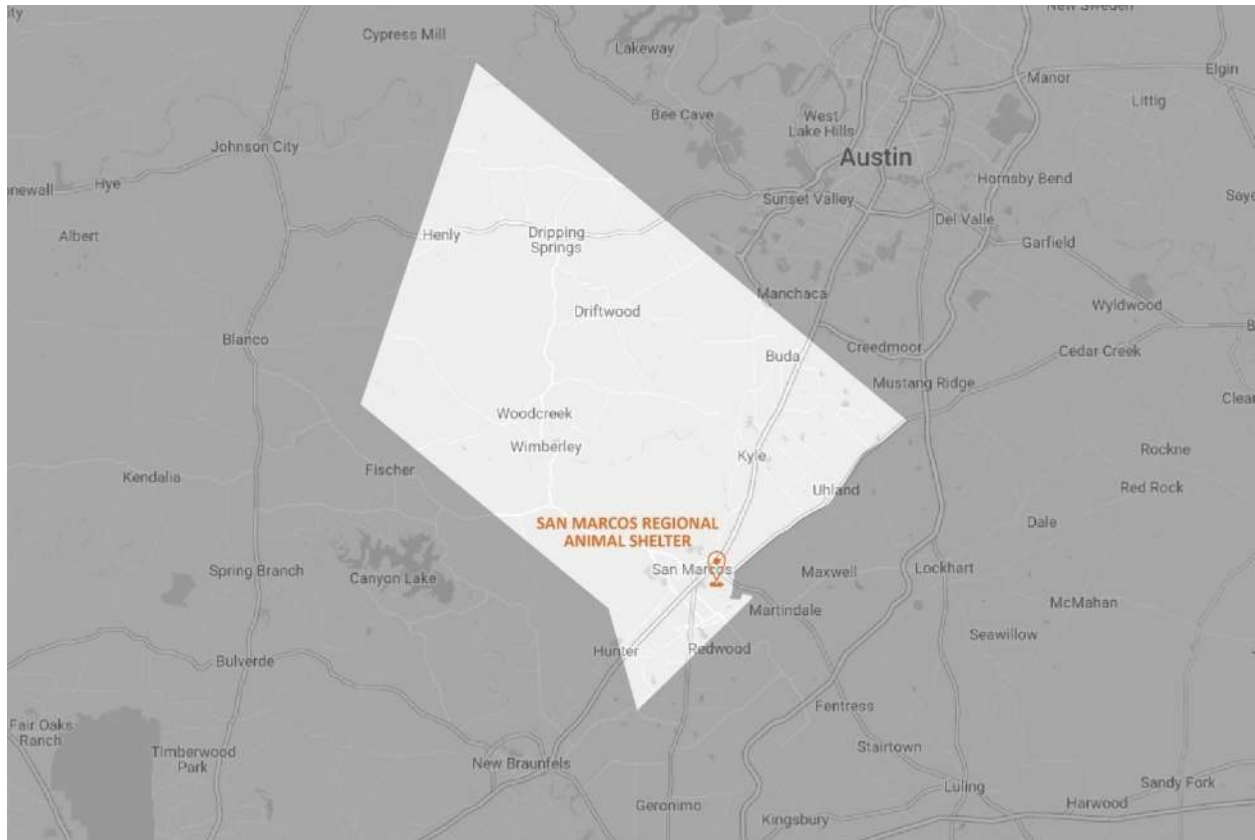


Figure 4.1: Outline of Hays County, Texas and the location of San Marcos Regional Animal Shelter.

As Hays County reaches its forecasted growth rate of 267 percent between 2015 and 2045, the population is expected to cluster around the I-35 corridor in the towns of Buda, Kyle, and San Marcos. Most of the county's density is located in the City of San Marcos (COSM).

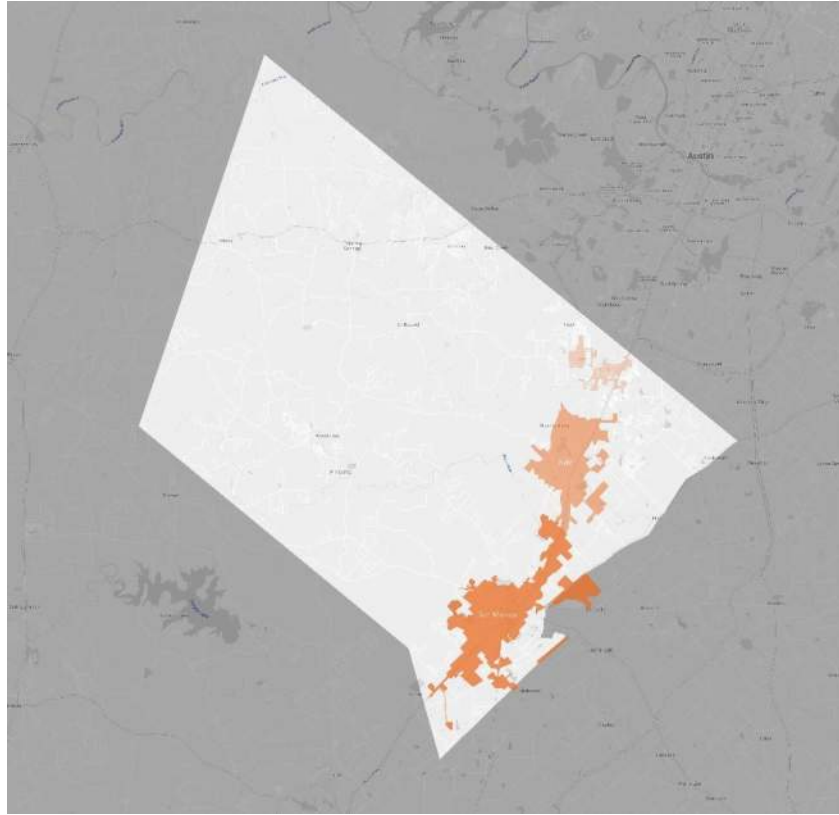


Figure 4.2: Outlines Hays County, Texas and the cities of San Marcos, Kyle, and Buda with their respective population represented in relative opacity.

Human Population Statistics

	City of Buda	City of Kyle	City of San Marcos	Hays County
2010	7,295	28,016	44,894	157,107
2020	15,108	45,697	67,553	241,067
% Increase	107%	63%	34%	53%
2022	NA	NA	NA	347,056

Figure 4.3: Depicts the growth rate reflected in the number of people.

Looking at the future land use of these three towns, Kyle has the most potential for population growth as the majority of its land is designated for single-family residential uses, with some areas for apartments, manufactured housing, and multifamily residential uses. San Marcos' future land use is planned to be mostly commercial with the next common land uses listed as open space, and industrial. Buda's future land use concentrates commercial uses along I-35, industrial uses to the southeast, growth to the east, and "green" growth to the west to preserve land.

As the 26 miles north of San Marcos towards Austin fill in with commercial projects alongside I-35 and residential use to the northwest, the location of a future facility should reflect this pattern of growth to best serve the community.

Income and Poverty Statistics

	<i>City of Buda</i>	<i>City of Kyle</i>	<i>City of San Marcos</i>	<i>Hays County</i>
<i>Median Household Income</i>	\$84,074	\$55,660	\$42,030	\$68,724
<i>Poverty Rate</i>	4.4%	12.7%	28.9%	9.7%

Figure 4.4: Compares the median household income and poverty rate comparisons between municipalities.

Poverty rates illustrate which areas of the community potentially need more support than others, which informs the location of a new community-serving facility. As the above graph shows, the COSM has the highest rate of poverty with Kyle following, and having a higher rate than Hays County overall. This chart implies that the shelter should be easily accessible from San Marcos and Kyle. A heat map of intake (canine versus feline) from unincorporated areas of Hays County was not available during the study but will also be a valuable tool to identify areas of high intake which will likely be near the COSM.

5 Current Shelter and Animal Welfare Services in Hays County

	Shelter Intake (2021)	Formal Safety Net	Field Services	Subsidized Public Spay/Neuter 2021	Subsidized Community Cat Spay/Neuter	# Per Year (2021)
Hays County	Contract with COSM	No	Yes	No	No	0
City of San Marcos	4,059	Minimal	Yes	No	No	0
Kyle	Contract with COSM	No	Yes	No	No	0
Buda	Contract with COSM	No	Yes	Yes	No	Minimal
PAWS	Yes, 2 locations, Dripping Springs and Kyle combined take of ~1,700 pets a year	No	No	No	Yes, in Dripping Springs since May 2021	0
PALS Prevent a Litter	No	No	No	Yes, 5 days a month	Yes, twice a month	~2,000 combined
Thundering Paws	~200 pets a year	No	No	No	Yes	<50

Figure: 5.1: Outlines several of the current services available in Hays County in calendar year 2021.

6 Operational Recommendations

Responsible Public Policy

Public policy is the framework by which all public and private non-profit animal shelters operate. These policies are crucial as providing for access to care, alternatives to shelter intake, and achieving a short length of stay in the shelter can be compromised and even crippled by outdated public policy. This leads to inefficient processes and an enormous waste of resources that are not in line with the goals of municipalities. Municipalities are tasked with providing public and animal safety but unfortunately community enforcement and sheltering services have evolved over the years to include many processes that accomplish neither.

Many state statutes, including Texas, lag years behind Best Practice recommendations and industry standards in animal welfare and are extremely time consuming and difficult to update. Local ordinance revisions are much simpler. They can be more stringent but not laxer than state statutes, so all recommendations in this feasibility report respect that legal hierarchy and are made for local ordinances in Hays County and the cities of San Marcos, Kyle, and Buda.

Ordinance revision recommendations have been discussed with county leaders and counsel, as well as city leadership from San Marcos, Kyle, and Buda and all are encouraged to move forward with revisions without delay as these changes are independent of decisions around a capital project. Having said that, responsible, appropriate public policy and effective programming must be in place or in progress as it directly affects the size and scope of the capital project. The delta in intake for Hays County could mean the difference between 1,000 or 4,000 animals entering the shelter per year. The shelter intake bias must be replaced with trust in and collaboration with pet owners in need, the community, and the emphasis on access to care and safety net services that are discussed throughout this study. As stated, the animal welfare industry is transitioning to a community-foster-centric model as opposed to the traditional shelter intake model.

Basic Recommendations for Local Ordinances

Recommendations to Include	<i>Reason</i>
Requirement for all entities utilizing shelter services to abide by the same ordinances in line with Best Practices	<i>Ordinances in line with Best Practices are universal. Variations in ordinances within a community create unnecessary inefficiencies.</i>
Anti-tethering	<i>Tethering dogs as a means of housing/restraint is considered inhumane.</i>
Sterilization if dog designated dangerous	<i>Sterilized pets are less likely to roam to find a mate. Testosterone is linked to aggression and levels lowered when neutered. Nursing mothers are more likely to protect their pups.</i>
Provision for community cats (exclude from leash law)	<i>It is a societal norm for cats to have access to the outdoors or live exclusively outdoors.</i>
Guidelines for feeding community cats and decreasing risk to wildlife	<i>Community cats should be fed at regular times, in containers that are removed after cats eat and in areas least likely to attract or interfere with wildlife.</i>

Define community cat	<i>Any unowned, free roaming cat that may be cared for by one or more residents of the immediate area who is/are known or unknown; a community cat may or may not be feral. Community cats that are ear tipped are sterilized and have received at least one vaccination against rabies. Community cats are exempt from any licensing, stray, abandonment and at-large provisions directed towards owned animals. A community cat may also be defined as a cat 'found' outside that is brought to an animal shelter and not yet sterilized/ear tipped.</i>
Define community cat caregiver	<i>A person who provides care, including food, shelter or medical care to a community cat, while not being considered the owner, custodian, harbinger, controller or keeper of a community cat or to have care or charge of a community cat. Caregivers must make every effort to minimize the impact on local wildlife, feed the proper quantity of food for the number of cats in appropriate food containers, discard food containers daily and feed only on their property or with the permission of another landowner (city, state, or federal public property). Community cat caregivers shall not be deemed to own, have custody, care or control of community cats. Community cat caregivers may redeem community cats from the shelter without proof of ownership and are exempt from any charges and/or fees.</i>
Exclude Return-to-Field program from abandonment clause	<i>The intent of an abandonment clause is to protect pets from being left in an unfamiliar place. A Return-to-Field program involves returning community cats to their home location where they were already cared for.</i>
Housing bite quarantine only if owner unknown (pending dangerous dog investigation is at the discretion of the director)	<i>Shelter space should be reserved for stray pets with no other options or part of an enforcement case. Owners of pets in need of quarantine from a single incidence should be responsible for the quarantine arrangements.</i>
Three-day stray hold for dogs over five months to live outcome	<i>Most stray dogs are reclaimed by their owners within the first three days and LOS leads to negative consequences. Nationally only 20% of stray dogs are reclaimed through a shelter.</i>
No stray hold for kittens and puppies under five months to live outcome	<i>Kittens and puppies are at high risk of contracting an infectious disease at the shelter and are not</i>

	<i>part of the reunification pool. LOS leads to negative consequences.</i>
No stray hold for cats over five months to live outcome	<i>Nationally less than 5% of stray cats are reclaimed through a shelter. Studies show that cats are seven to 13 times more likely to find their way home from the street or find another home when compared to a shelter (Ref Lord and Owen). Trap and euthanize is ineffective at decreasing community cat numbers. LOS leads to negative consequences.</i>
Foster during stray hold	<i>Overall, most of the shelter population will not be reclaimed. LOS leads to negative consequences.</i>
Cap on adoption fees	<i>Low adoption fees correlated with lower LOS.</i>
Provision to waive adoption fee	<i>Fee waived adoptions correlate to LOS. Fees do not correlate to responsible pet ownership or human-animal bond.</i>
Financial incentive for services with reclaim (spay/neuter, rabies vaccination and microchip)	<i>Fees, fines, and citations prior to reclaim for a stray at large and not part of an enforcement case is a barrier to reclaim. Offering incentive for services is beneficial for pet, owner, shelter, and field services and provides sustainable resolution.</i>
Allowance for spay/neuter agreement	<i>If pre-adoption spay/neuter not possible, LOS leads to negative consequences.</i>

Recommendations to Exclude	Reason
Memorandum of Understanding or contracts with shelters not linked to number of animals admitted	<i>Shelter space should be reserved for public and animal safety cases and pets with no alternatives.</i>
Field Officers do not convenience transport owner surrenders or healthy community cats for the purpose of shelter intake	<i>Field Officers should focus on public and animal safety and proactive community programs.</i>
Breed Specific Legislation	<i>No evidence that physical characteristics are linked to aggression.</i>
Pet Limits	<i>Not correlated to responsible pet ownership or hoarding risk.</i>
Regulation of community cat colonies or caregivers	<i>Does not promote partnership efforts with caregivers and feeders, positions animal control entity as the enemy. Resources wasted with no positive outcome.</i>
Mandatory spay/neuter for the general public, AVMA and ASPCA agree	<i>No evidence that mandatory spay/neuter linked to decreasing shelter intake, creates a punitive action with no resolution, risk of increasing shelter intake. (AVMA and ASPCApro.org)</i>

Figure: 6.1: This chart outlines key topics that should be included in a local ordinance, as well as topics that should not be included (Source: The Best Practice Playbook for Animal Shelters).

Summary of Ordinance Revision Recommendations for Hays County and Municipalities

Recommendation	Hays County	San Marcos	Kyle	Buda
Update definition of 'shelter' from Texas State Statute.	X	X	X	X
Update definition of 'tethering' from Texas State Statute.	X	X	X	X
Add requirement for municipalities using the SMRAS to abide by San Marcos ordinance pertaining to animals that includes discontinuing to accept healthy community cats unless they are part of an enforcement case or admitted for SNR/TNR and return to home location the following day.		X		
Define or update community cat and associated verbiage.	X		X	X
Define or update community cat management and programming.	X	X	X	X
Remove requirement to register cat colonies.		Sect. 6.017		
Exempt community cats from stray hold period.	X	Sect. 6.030	X	
Replace the word 'destruction' with 'euthanasia.'				
Replace the word 'destroyed' with 'euthanasia.'	Sect. 8.1			
Allow for foster finder program.	Sect. 13.3	Sect. 6.031		
Delete requirements for foster program since no shelter.	X			
Update reasons for euthanasia.		Sect. 6.031		
Eliminate pet limits that do not correlate to responsible pet ownership or prevent hoarding and animal care requirements/nuisance already addressed in code.		X	Sect. 5-80	
Add financial incentive for an owner reclaiming their dog to spay/neuter/rabies/vaccinate/license, and microchip in lieu of fees and fines.	X	Sect. 6.030	Sect. 5-104	X
Eliminate adoption fee from ordinance and allow shelter leadership to set the fee or do fee waived adoption.		Sect. 6.031		
Allow for spay/neuter release agreement as appropriate.		Sect. 6.031		
Eliminate requirement for an owner whose pet is in heat to spay/neuter and instead provide referral for access to surgery.			Sect. 5-111	

Figure 6.2: Summary of ordinance revision recommendations for all municipalities (See Attachments 1-4 redline documents for Hays County, COSM, Kyle, and Buda for further details).

Recommendations for the San Marcos Regional Animal Shelter

- Update the COSM ordinance and require that municipalities with Interlocal Cooperative Agreements abide by the San Marcos ordinance as a condition of utilizing the shelter.
- Since an estimated 33 to 50 percent of the time a dog at large is not located by an Animal Protection Officer (APO), consider developing the foster finder program so the dog stays in his own neighborhood where he is more likely to be reunited with his owner (see Impactful Community Programming and the Link to Social Services).
- Assign a community cat coordinator to assist constituents and discontinue accepting healthy, community free roaming cats from the public or any field team unless it is for spay/neuter/rabies vaccination/ear tip day two and return to their original home location day three or part of a true enforcement case (see Community Cat Management).

Comparison of Animal Control and Services

There are no current benchmarks or industry standards for appropriate animal control budgets due to variables in state statutes, local ordinances, partnership types, services offered, lifesaving commitment, public-private partnerships and collaborations, use of volunteers, etc. As per information gathered by Best Friends Animal Society staff, the range is \$3 to \$27 per capita with the average in Texas at \$10.50 per capita. Likewise, there are currently no model public shelter budgets, but consultants met with two national organizations working on these recommendations, Best Friends Animal Society and the Human Animal Support Services (based in Texas), and they are consistent with the proposed allocations. Additional recommendations will be available within the next six months and shared with Hays County leadership when ready.

The following information about other organizations is not an endorsement of the operation or budget but rather satisfying the RFP request to provide comparisons with other demographically similar communities, in Texas where possible. Texas shelters in the chart below, are underfunded by the municipalities in the opinion of the consultants and no non-profit organizations were found in Texas that provided both sheltering and field services. As per the Texas Animal Control Association, many municipalities request information about finding a non-profit to operate their shelter but it can be assumed that none are identified since the compensation for services offered does not cover the realistic expenses. Recommendations for staffing field services, job duties, and community-based field programs is discussed in **Proposed Pet Resource Center, Open Door Clinic, and Field Services Table of Organization.**

Shelter Comparison

Name & Location	Population	Type	Budget	Total Staff	Field	Shelter intake per year	Programs	Medical
City of Plano, Plano , Texas* <i>*government run with additional contracts</i>	285,494	City provides sheltering for the county and cities who have their own field officer.	\$2.5 million	31	10,347 calls per year, 8 trucks.	5,382	Unofficially does trap/neuter/return (TNR), manages a foodbank, provides crisis boarding, mobile unit that can be used for disasters, spay/neuter, and adoptions but outsources licensing.	Contract veterinarian two days a week for shelter spay/neuter and care. No public spay/neuter. Once a year does S/N for cats.
Bell County, City of Belton, TX* <i>*government run with additional contracts</i>	340,647	Run in partnership with the city and sheriff's office.	\$250,000 a year, relies heavily on public support.	8	6,000 calls per year, five vehicles that include one ambulance.	3,200	No public programs. Relies on private groups in the community to offer public support.	Contracts with a community veterinarian for shelter services. No public services.
City of Lubbock, TX* <i>*Government runs shelter</i>	258,870	Operated by the city, county does not pick up stray animals unless they are aggressive and will hold at community veterinarians.	\$2.8 million	Did not share an org chart, but have 10 field staff.	14,166 calls per year, 11 trucks.	7,619	Does community microchips and vaccination clinics, helps repair fences in the community, manages a food bank program and provides spay/neuter voucher.	
City of Arlington Animal Services, Arlington TX*	365,438	Operated by the city	\$1.3 million	31 (see org chart)	No stats available for call volume, 9 ACO trucks, 3 SUV's.	8,500c	One field staff member dedicated to community cats vs. enforcement	Staff veterinarian, some community cat surgery for the public, mobile

**Government runs shelter*

Larimer Humane Society, Fort Collins, CO

**Private organization that contracts with governments*

Marin Humane Society, Marin County, CA

**Private organization that contracts with governments*

							adoption unit. Only does S/N for animals that are adopted or reclaimed.
354,899	Private 501-c3 that contracts with cities including the county and three JPA contracts.	\$6 million	Approx. 70	16,000 calls per year. Nine vehicles including transport vans.	6,000	Public community cat programs.	Staff veterinarians do internal only. Assists pet owners with medical needs through a grant and payment to community veterinarians. Provides S/N for RTO. Safety net grant helps pet owners with medical care at private veterinarian.
258,825	Private 501-c3 that contracts with cities/county. JPA with eleven cities and the county.	\$10 million	> 100	7,965 Field calls, seven vehicles including one rescue truck and one DOA truck.	2,656	Shelter staff is responsible for all programs - owner turn in diversion, food bank, behavior support, emergency boarding, humane education, and partners with local cat group to do TNR, robust humane education, volunteer and behavior department.	Two veterinarians and per diem vets daily, mobile vaccination and microchip clinics, assist pet owners with medical needs partnership with local veterinarians

Figure 6.3: Comparison of communities with similar population numbers and animal control program infrastructure. No non-profit shelters in Texas were found who provided both sheltering and field services.

Effective Programming Recommendations for Hays County and current San Marcos Regional Animal Shelter

Impactful Community Programming and the Link to Social Services

The animal welfare industry has experienced a welcome and dramatic shift in the last decade and in particular since the onset of the pandemic in 2020. The first animal control and sheltering system model was created around 1866 in order to capture, warehouse, and ultimately euthanize free roaming aggressive dogs and those inflicted with the rabies virus (<https://www.asPCA.org/about-us/history-of-the-asPCA>). This system has historically focused on punitive actions and judgment around pet ownership and a shelter intake bias as the sole solution. Until the 1980s, euthanasia was commonly used as a means of controlling the shelter population, which is no longer acceptable in our society.

Last year, 4.3 million dogs and cats entered U.S. shelters and 83 percent were saved, which represent enormous improvements over years past (<https://network.bestfriends.org/no-kill-community-shelter-map>). Judgment and punishment have been largely replaced in many communities across Texas and the country with proactive programs like prioritizing reunification, self-rehoming services, safety net and surrender prevention assistance, engaging and supporting willing community members to foster and collaborate, as well as enhancing access to veterinary care.

Organizations like Open Door Veterinary Collective, Humane Animal Support Services (HASS), and the American Veterinary Medical Association One Health initiative are linking human social services with access to veterinary care services and thinking about both ends of the leash. Another national organization, Meals on Wheels, created Animeals after realizing clients were feeding food meant for them to their pets (<https://humanepro.org/magazine/articles/meals-wheels-people-and-pets>). All these initiatives have the unified goal of treating the whole family, that includes both people and pets.

Benefits of intertwining human social services and animal welfare have far-reaching economic and public health benefits. In two studies completed by the Humane Society Institute for Science and Policy, Animal Studies Repository, the positive economic impact over several years was \$157,452,503 and \$118,566,405 in Oklahoma City, Oklahoma and Austin, Texas, respectively (Attachments 5, 6). The Oklahoma City report also speaks to the potential positive consequences for people, such as 'Increased rates of volunteering, increased brand equity, decreased obesity rates, decreased health care expenditures, increased productivity, decreased mental health expenditures, increased social capital, and improved humane education'.

This crucial link to social services and access to veterinary care often results in decreased enforcement complaints and actions, showing that most punitive actions were not intentional neglect, cruelty, or abandonment but rather lack of access to assistance of some kind. In a 2015 study, the ASPCA found that most of the people surrendering to a shelter who were surveyed, did not want to surrender their pet but did not have access to temporary assistance (Weiss, E. , Gramann, S. , Victor Spain, C. and Slater, M. (2015) Goodbye to a Good Friend: An Exploration of the Re-Homing of Cats and Dogs in the U.S.. *Open Journal of Animal Sciences*, 5, 435-456. doi: [10.4236/ojas.2015.54046](https://doi.org/10.4236/ojas.2015.54046)).

The Humane Society of the United States founded The Pets for Life program and has reported the endless benefits of community programming and safety net services as well. (<https://humanepro.org/sites/default/files/documents/pets-for-life-sustainability-guide.pdf>, page 102).

At Dallas Animal Services, a study showed that most free roaming dogs were very close to their homes and prioritized keeping them in their neighborhoods versus an animal control officer taking them to a shelter, where an average of only 15 to 22 percent of the 'stray' dogs are reunited with their families, not only decreased intake but increased reunification rates ([A New Web-Based Tool for RTO-Focused Animal Shelter Data Analysis \(nih.gov\)](#)). Similar information about free roaming dogs is emerging from Austin and San Antonio, Texas and Memphis Animal Services in Tennessee. Creating community-centric programs like these are transforming the antiquated traditional animal welfare system that has been set up for failure.

Housing insecurity, the ongoing, deleterious economic effects of the pandemic, the escalating cost of providing veterinary services, and other financial challenges facing pet owners warrant a new approach to social services. Creating a Pet Resource Center that addresses pet owners and pets in need with a shelter and clinic along with a social services building and possibly a clinic for their humans would be the first of its kind in the country. Hays County could be the leader in this true One Health approach as the county is in the unique position of being able to appropriately plan and develop the infrastructure in preparation for the expansive growth of the community. For more information regarding equitable animal welfare services and the benefits of a One Health approach, see: <https://airtable.com/shrmziLv7W8KELPQy>.

This is not to suggest that all pet owners should receive subsidized assistance; however, sobering information is documented in the 2018 Access to Care Coalition Report (<https://pphe.utk.edu/wp-content/uploads/2020/09/avcc-report.pdf>). Not only are 29 million pet owners on some sort of government assistance, but 60 percent of all American workers live paycheck to paycheck and even a mid-high income earner cannot pay a \$2,000 emergency veterinary bill. Sadly, those numbers are likely to have become even more dire since the start of the pandemic. One veterinary clinic model, Open Door; however, enhances access to care while providing a framework for financial sustainability by designing the business to net profit.

Open Door Veterinary Clinic Model

Open Door is a financially profitable, and therefore sustainable, business model that enhances access to veterinary care. Training is provided by the national non-profit, Open Door Veterinary Collective (opendoorconsults.org). This model can be applied to a non-profit clinic, a for-profit clinic, or a government-operated clinic but the Texas state statute should be reviewed regarding laws around ownership and operating a community clinic as this operation may have to be outsourced by the county (<https://statutes.capitol.texas.gov/Docs/OC/htm/OC.801.htm>). A recent blog provides an excellent summary about this model: <https://www.humananimalsupportservices.org/blog/innovators-working-to-make-veterinary-care-more-accessible/>.

Open Door Veterinary Collective is based on two main principles. One is that all pets should have reasonable access to veterinary care and that the veterinary team should earn a competitive salary. In the non-profit animal welfare sector, the general goal is to subsidize most or all services. This is not practical nor sustainable and leaves many in the business of philanthropy frustrated and disillusioned as there is a never-ending cycle of need.

The costs to provide veterinary care, especially as it relates to the advanced diagnostic tools now available has far outpaced the rate of inflation leaving many pet owners, from the socioeconomically disadvantaged

to even middle and high-income earners, challenged. Private practice veterinarians have historically been unable to manage payment plans resulting in a pay-up-front industry which is no longer practical.

For the tens of millions of credit invisible pet owners and those who do not qualify for credit, paying a veterinary bill in full is not always an option. With the Open Door model, in addition to business process efficiencies, payment support options include outsourced payment plans (vetbilling.com), partnerships with non-profit organizations and foundations, grant subsidies from non-profits, helping clients with cost efficiencies, and keen attention to incremental care. Another piece of the plan is that one dollar from each exam goes into a Stay Together fund so each veterinarian has a discretionary fund to help a pet in need. So, clients may pay all of their bill at the time of services, pay the clinic over time through Vetbilling, or payment to the clinic may come in part from the client and in part from another source mentioned.

This sustainable access to care program is needed in Hays County and all private clinics are encouraged to adopt this model as well. Team Shelter USA will be educating local veterinarians about this model in the near future.

Targeted Spay/Neuter and Correlation with Shelter Intake

Peter Marsh's research, documented in the books *Getting to Zero* and *Replacing Myth with Math*, showed that most pets entering shelters were from lower socioeconomic groups and when services, like spay/neuter, were subsidized, shelter intake decreased. That makes this group of pet owners a special focus group when expanding access to care and proactively attempting to decrease shelter intake. For those communities with higher poverty rates, like the COSM, 10 subsidized surgeries per 1,000 residents is recommended. For others with low-poverty rates like unincorporated Hays County, Kyle, and Buda the recommendation is closer to five per 1,000.

Community cats, socialized and unsocialized, are a special target group that are not included in the recommendations in Figure 6.4 below, and will be discussed under **Community Cat Management**.

Recommended Number of Subsidized Spay/Neuters

	Poverty Rate	Recommendation	Feline Surgeries	Canine Surgeries
<i>Unincorporated Hays County</i>	9.70%	5/1,000	600	600
<i>City of San Marcos</i>	28.90%	10/1,000	150	150
<i>Kyle</i>	12.70%	5/1,000	115	115
<i>Buda</i>	4.40%	5/1,000	40	40

Figure 6.4: This graph represents the recommendations for the number of subsidized surgeries for socioeconomically disadvantaged pet owners per 1,000 residents in the respective municipalities per year that is correlated with productively decreasing shelter intake. At the time of the writing of this report, data was not available for the number of subsidized surgeries done by other groups based on municipality so the total number is presented.

Intake versus Euthanasia of Dogs and Cats at the City of Waco shelter as compared to spay/neuter surgeries at Animal Birth Control

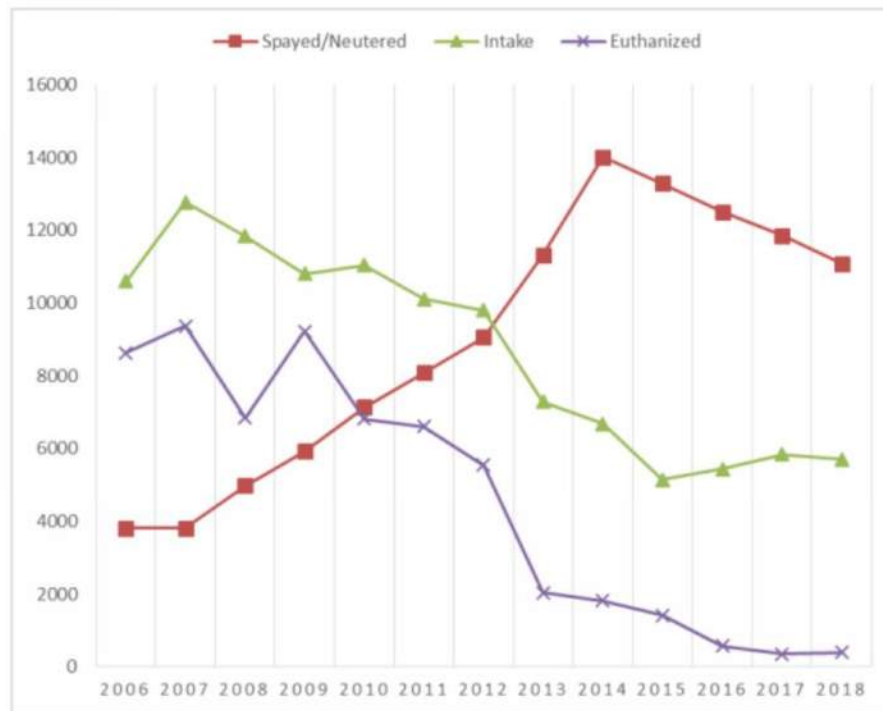


Figure 6.5: This graph depicts one example of the inverse correlation between the city shelter intake/euthanasia and the number of targeted surgeries done at the non-profit spay/neuter clinic.

Intake versus Euthanasia of Dogs and Cats at Huntsville Animal Services as compared to the targeted spay/neuter surgeries founded by SNAP (Spay/Neuter Action Project) and Fixin' Alabama (a City of Huntsville government program)

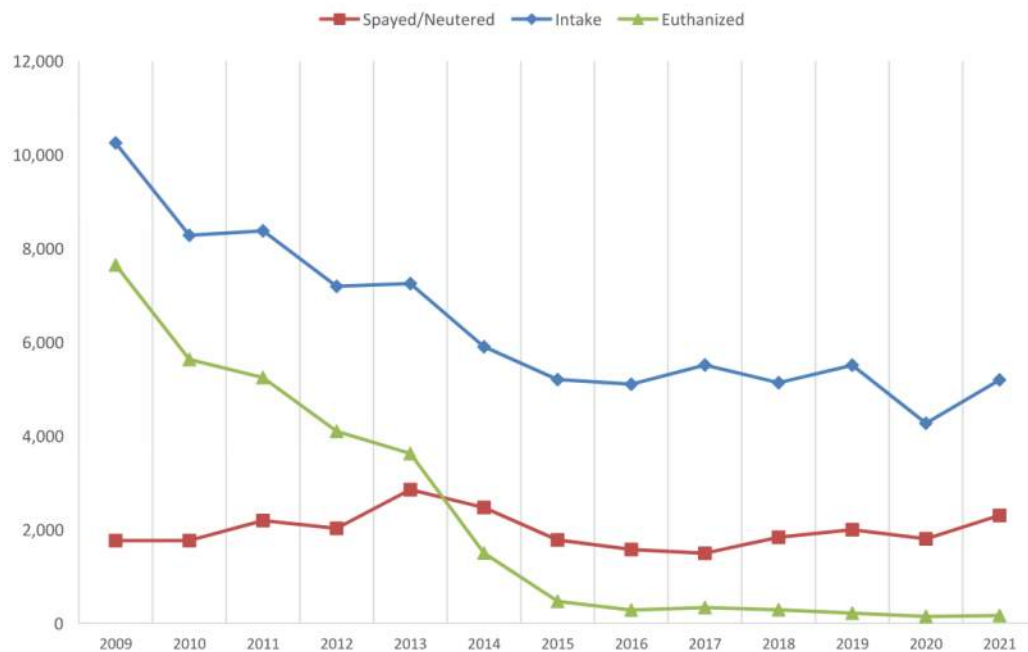


Figure 6.6: This graph depicts the relationship between the decrease in intake and euthanasia at Huntsville Animal Services and targeted spay/neuters performed. Since there is no high-volume spay/neuter clinic in Huntsville, this progress was made through a network of private practice veterinarians proving that different partnerships can yield the same positive results over time.

In some communities, like Huntsville, Alabama (*Figure 6.6*), where there is no high-volume spay/neuter clinic like the city of Waco, surgeries have been done through a network of private veterinarians. In the Northern Kentucky Area Development District and the Bluegrass Area Development District, while there are several high-volume, non-profit clinics, private practice veterinarians were asked what they would need to be involved with a community cat spay/neuter program. The veterinarians decided that if reimbursed monthly in a timely manner, they would do surgeries up to the cap amount of funding allocated for \$65 for a male or female feline that included pain medication, a rabies vaccine, a vaccine against Feline Rhinotracheitis Calici Panleukopenia viruses (FVRCP) and ear tip with no upcharges.

This Kentucky program, managed by Team Shelter USA and sponsored by the Joanie Bernard Foundation in partnership initially with the counties who also contributed financially, received an Innovation Award from the National Association of Development Organizations for this public-private partnership that dramatically decreased municipal shelter intake and euthanasia for cats (<https://www.nado.org/congratulations-to-the-2017-nado-innovation-award-winners/>). Those improvements resulted from a series of best practice implementation strategies, in addition to spay/neuter, that included updating local ordinances, safety net options, creating a community cat management program, and open adoptions but the major impact was as a result of community cat programming.

A mobile spay/neuter unit is not recommended for Hays County for several reasons. Logistically, getting a spay/neuter unit to the appropriate location, which sometimes requires a special driver and license, is cumbersome. The unit depreciates over time as opposed to a building and the unit limits the number of pets that can be spayed or neutered at once, not to mention canines and felines cannot be separated on a mobile unit unless done on separate days. Mobile units are most useful and recommended for places where there are vast resource deserts. A more effective solution for Hays County is to provide transportation assistance to a high-volume surgery program. This requires only a driver in a van who can pick up pets at an appointed location in the morning then deliver them back to their owners at the same location that evening.

Unfortunately, there is a serious shortage of veterinarians in the U.S. that is forecasted to get even worse, in particular for animal welfare agencies (<https://humanepro.org/magazine/articles/crisis-veterinary-care>). As Hays County leadership moves forward considering this capital project, this should be kept in mind as it does affect the size and scope of community medical and surgical services. Ideally, a community clinic would provide access to general veterinary care, as well as subsidized spay/neuter opportunities. The only other option is to engage local veterinary hospitals in programming and ensure they are compensated appropriately. Also, as mentioned, all local, private practice veterinary clinics are encouraged to explore and consider the Open Door model. This can include simply enhancing access to care and needed services with existing clients and/or increasing the number of clients if that is a goal for the clinic.

Recommendations for the San Marcos Regional Animal Shelter
- Set a goal to provide the targeted number of subsidized spay/neuter surgeries.
- Encourage local private practices to adopt the Open Door model (opendoorconsults.org).
- Create a formal safety net program.

Community Cat Management

Estimated number of Free-Roaming Cats in the U.S.

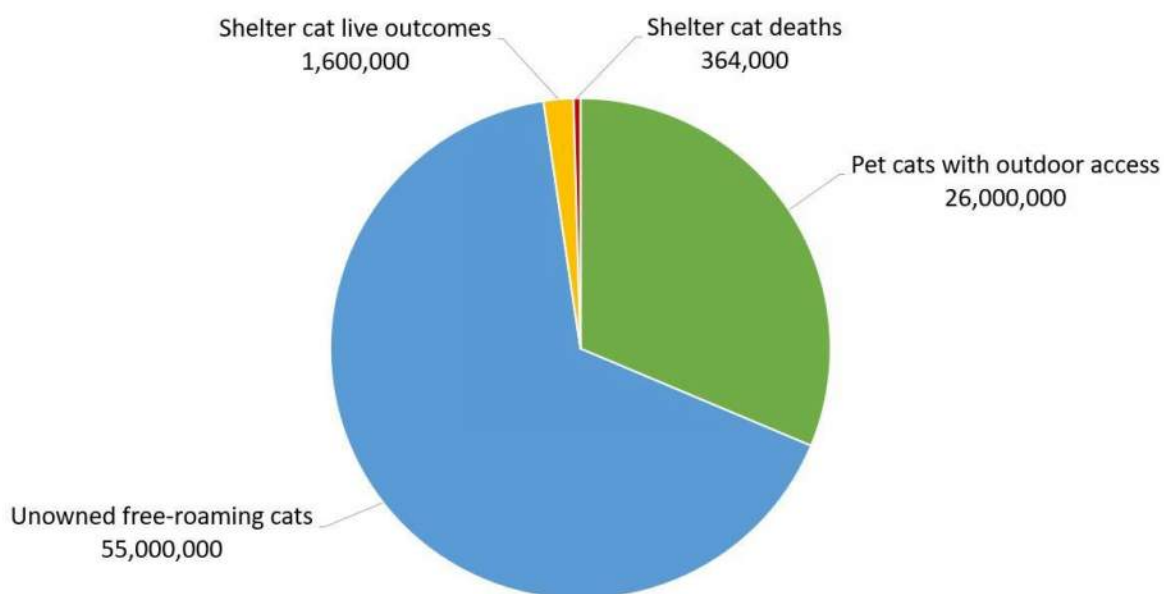


Figure 6.7: Represents the percentage of free-roaming cats in the U.S. as compared to the number entering and dying in shelters. Source (Front. Vet. Sci., 08 March 2022 | <https://doi.org/10.3389/fvets.2022.847081>). There are an estimated 64,000 free-roaming and pet cats with outdoor access in Hays County.

As discussed in the Public Policy section, laws and ordinances not in line with best practice industry standards can greatly compromise the design of effective programming. There is no greater example of that than the mismanagement of free-roaming cats (socialized/friendly or unsocialized/unfriendly) by removing them from their home location where they were healthy and cared for and admitting them to a shelter. Antiquated policies have led many shelters to operate over their capacity for care and that means housing is compromised and often inhumane, there are higher levels of infectious disease, increased lengths of stay, and therefore higher costs of medical and basic care, as well as reduced lifesaving potential, compassion fatigue for staff and volunteers, and preventable euthanasia of cats who were healthy on intake. At best, this process simply wastes the resources of a private or public shelter on a cat who was not in need of assistance except possibly for spay/neuter and rabies vaccination. Community cat programs are now considered the norm in all shelter types.

Municipalities should be focusing on public and animal safety and the transport of healthy community cats to a shelter for the purpose of intake is not in line with that goal. In fact, some experts suggest that removing an individual cat leads to larger litters birthed by the cats left behind (Front. Vet. Sci., 08 March 2022 | <https://doi.org/10.3389/fvets.2022.847081>). When a community free-roaming cat is instead spayed or neutered, vaccinated against rabies, and ear tipped identifying them as sterilized, then returned

to their original home location, it reduces the number of future litters, shelter intake and enforcement calls, and most importantly provides a sustainable resolution for constituents.

This process is called trap/neuter/return, shelter/neuter/return or return to field, (meaning return to their original home location). There are no shelters that have implemented appropriately designed community cat programs who have increased intake unless it was intentional. This program also dramatically impacts the dreaded 'kitten season' typically occurring each spring. Again, with the appropriate targeted spay/neuter numbers, kitten season is delayed or there is no spike in kitten intake. Note that adult dogs and kittens make up the highest categories of intake at the SMRAS and targeted programs will drive those numbers down.

For this program to work, constituents do need a resource to help them resolve simple issues if there is some negative interaction with a community free-roaming cat. Non-profit organizations such as PALS and PAWS have been discussing a Community Cat Coalition and Team Shelter USA hosted a meeting for interested advocates on May 25, 2022. This coalition can serve as a crucial resource for the community and all municipal field teams as community free-roaming cats and constituents are helped in a way other than by a response from field services and/or a direct shelter intake. This is not to insinuate that the non-profit organizations will provide all the resources, but by working together with the community, more efficient solutions can be found compared to a shelter intake.

Constituents call a field services team about a community free-roaming cat for one of three reasons. One, they have been erroneously trained by the animal welfare industry to believe that a cat seen outside is lost and must be taken to the shelter (see #6 below). Two, the cat is injured, ill or potentially exposed to rabies which is a valid reason for an animal control officer to respond or 3, the constituent does not want the cat on their property nor returned to their neighborhood.

For the third reason, there is a chance the constituent is doing something that attracts a community free-roaming cat onto their property. That may be that they have another intact cat, are feeding their cat(s) outside, or there is an attractive hiding place on their property that needs to be addressed. Once simple measures are taken so as not to attract cats or discourage them from entering the property, a sustainable resolution can be achieved. In other circumstances, where there is an overabundance of intact cats, targeted spay/neuter is warranted.

There are times, although a small percent of the time, that a cat cannot be returned to their original home location. The SMRAS and the future Community Cat Coalition should develop an on-deck list of placements for those cats, often called a working cat program.

Facts About Free Roaming Cats

Most free roaming cats are socialized and friendly with a small percent overall unsocialized or feral living in colonies.

Up to 40 percent of cat owners allow their cats access to the outside
(<https://humanepro.org/sites/default/files/documents/managing-community-cats.pdf>).

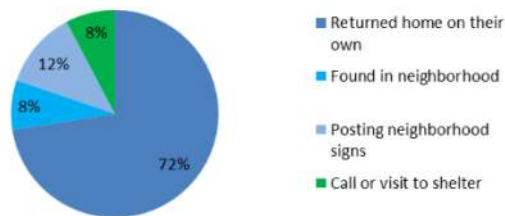
Spaying and neutering cats eliminates most nuisance behaviors such as yowling, fighting, roaming, spraying to mark territory, unintended births, and helps prevent colonies from forming.

Preventing births and decreasing the number of community free-roaming cats lessens the negative impact on wildlife.

About 80 percent of the cats entering shelters perceived as 'stray' are reunited with their families <2 percent of the time, meaning a stray hold period during the shelter stay meant for reunification fails 98 percent of the time, generating an enormous waste of resources (aspcapro.org).

In a study from the Ohio State University by Dr. Linda Lord, et.al., cats are seven to nine times more likely to find their way home from the street than a shelter.

Methods by which lost cats were reunited with owners



(Lord, L.K., et al. (2007). "Search and identification methods that owners use to find a lost cat." J am Vet Med Assoc. 230(2): 217-220)

Twice as many cats vs dogs are euthanized each year in U.S. shelters (<https://network.bestfriends.org/no-kill-community-shelter-map>).

In a survey by Best Friends Animal Society, <1 percent of the 300,000 community cats' part of the study were too sick or injured to be returned to their original home location (Best Friends.org).

A community cat management program as described means there are less cats but they are vaccinated against rabies. Therefore, by definition it increases community immunity against rabies.

Animal welfare attorneys agree that returning cats to their original home location where they are already cared for, based on their healthy body weight and coat, does not constitute abandonment.

These community cat management programs as described benefit all stakeholders and when designed correctly will dramatically and consistently reduce shelter intake. This is why they are so crucial before any plans to spend and waste resources on retrofitting housing areas or designing new shelter spaces. At the SMRAS, unsocialized cats may be held one to two months while staff searches for an alternative to returning the cat to their original home location. This is not only stressful for the cat, but a safety risk for staff that could be prevented when the appropriate processes are in place.

An overwhelming amount of evidence supports the practice of keeping healthy, sterilized community cats in their original home location as the most effective cat management program for all stakeholders. Some examples can be found here:

- i. *An article, noted above, summarizing the latest research by Dr. Kate Hurley and Dr. Julie Levy (Front. Vet. Sci., 08 March 2022 | <https://doi.org/10.3389/fvets.2022.847081>)*
- ii. *A webinar by the Million Cat Challenge team: <https://youtu.be/9FVHcYTXrgI>*
- iii. *Best Friends Animal Society
(<https://resources.bestfriends.org/advocacy/community-cats>)*
- iv. *The National Animal Control Association Position Statement
(<https://www.nacanet.org/animal-control-intake-of-free-roaming-cats/>)*
- v. *The Humane Society of the United States
(<https://www.humanesociety.org/resources/community-cat-program>)*
- vi. *Human Animal Support Services
(<https://www.humananimalsupportservices.org/?s=community+cats>)*

Another important aspect of the community free-roaming cat and cat intake program is educating the community around which neonates need help and which do not. Advocates often panic if they find a litter of underage kittens and since the animal welfare industry historically, yet erroneously, has trained the public to take any neonates, kittens or adults seen outside to a shelter. When cats give birth outside, they still have to leave their litter to eat. The key is to have information readily available, such as that found on the SMRAS website with links to kittenlady.org and alleycatallies.org, with clear directions and visuals so Good Samaritans can identify neonates in distress in need of intervention.

Examples of the Impact of Effective Community Cat Programming

Cat Live Release versus Euthanasia at the City of El Paso Animal Services

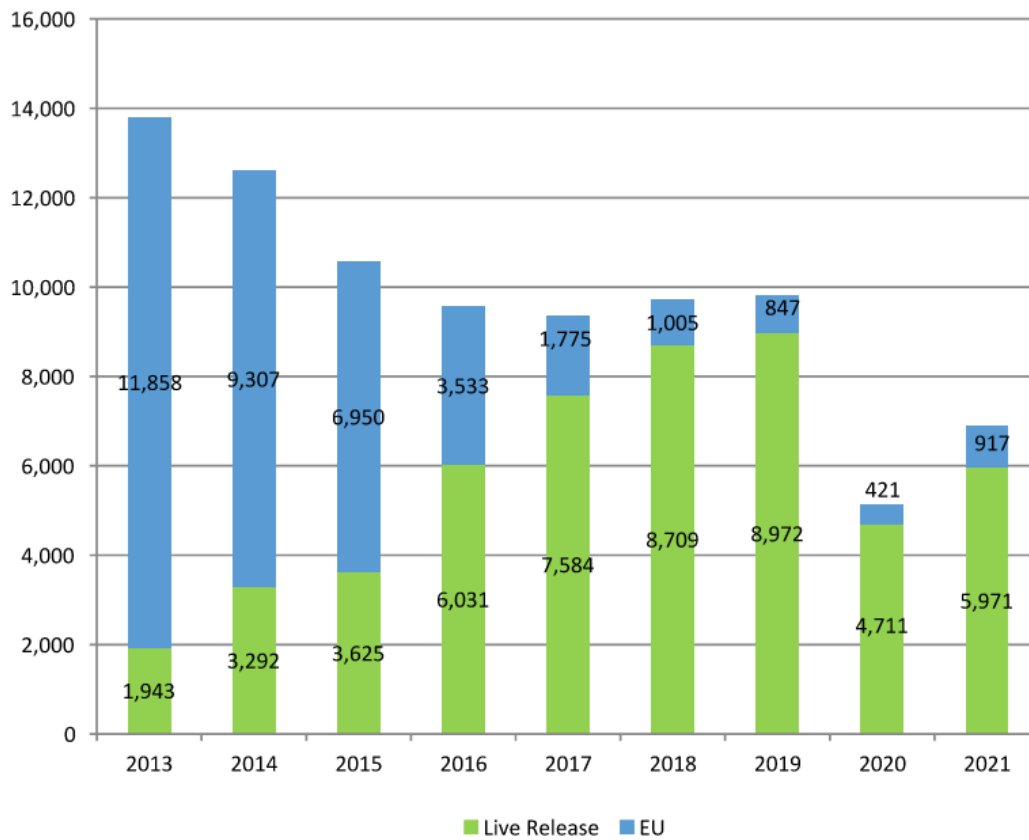


Figure 6.7: Shows the decrease in shelter intake and euthanasia at El Paso Animal Services in Texas, after the implementation of a community cat program in partnership with a local non-profit.

Cat Live Release versus Euthanasia at the City of Waco, Texas Animal Shelter

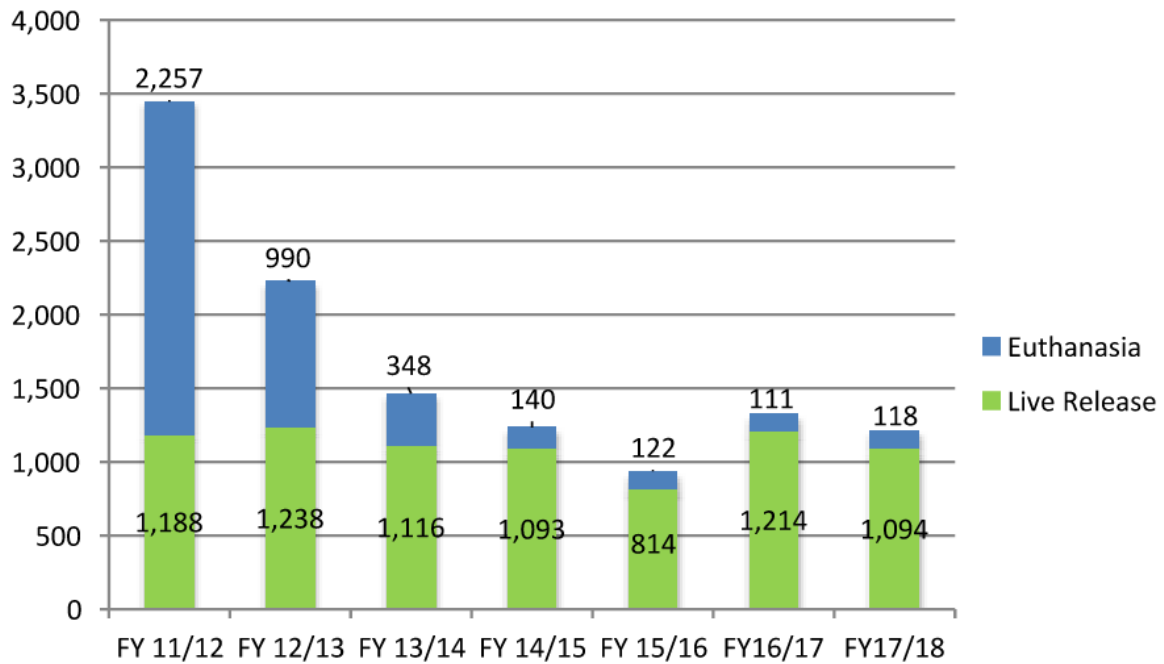


Figure 6.8: This graph depicts the positive trends of decreasing shelter intake and euthanasia of cats after the implementation of community cat programs in FY 12/13.

Progress at a Kentucky Shelter after Community Cat Programs Implemented

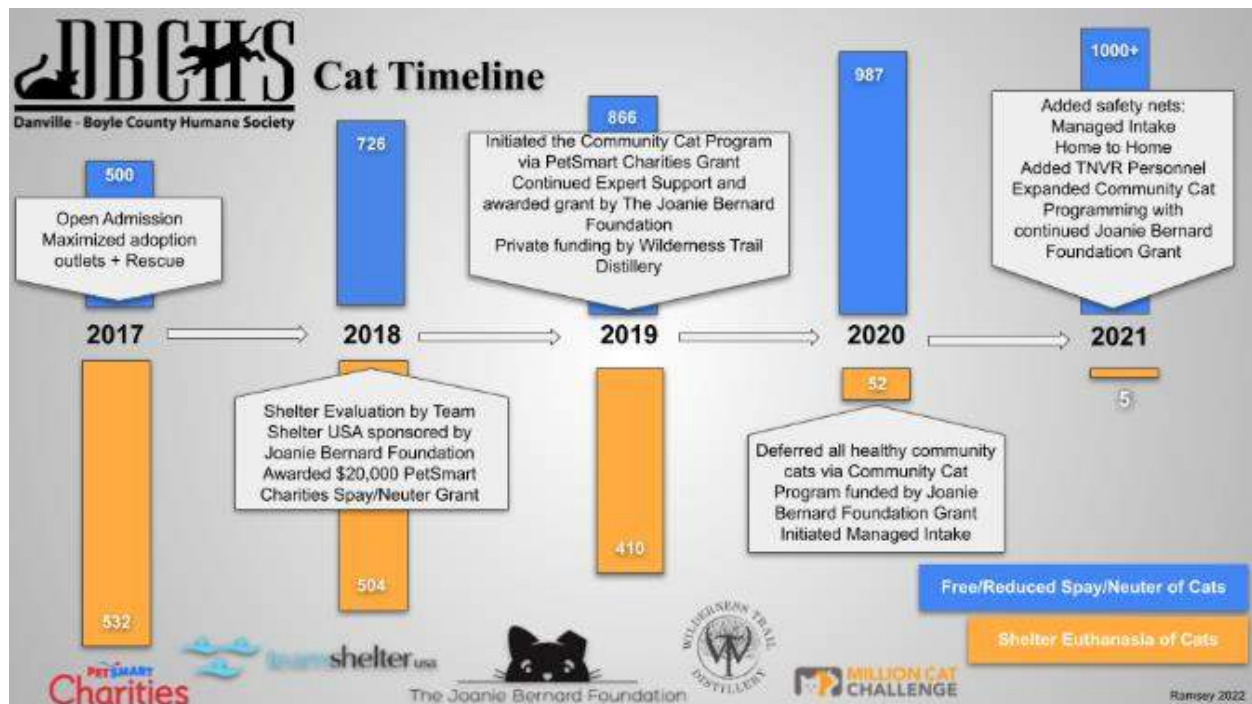


Figure 6.9: Shows the progress since 2018 when the Danville-Boyle County Humane Society in Kentucky implemented these proactive programs. Shelter intake of cats decreased from **1,230** in 2018 to **19** (nineteen) in 2021. This shelter is an example of a public-private partnership in that the county owns the shelter and provides field services and the non-profit humane society is responsible for sheltering and life-saving.

Cat Live Release versus Euthanasia Jacksonville, Florida Animal Care & Protective Services

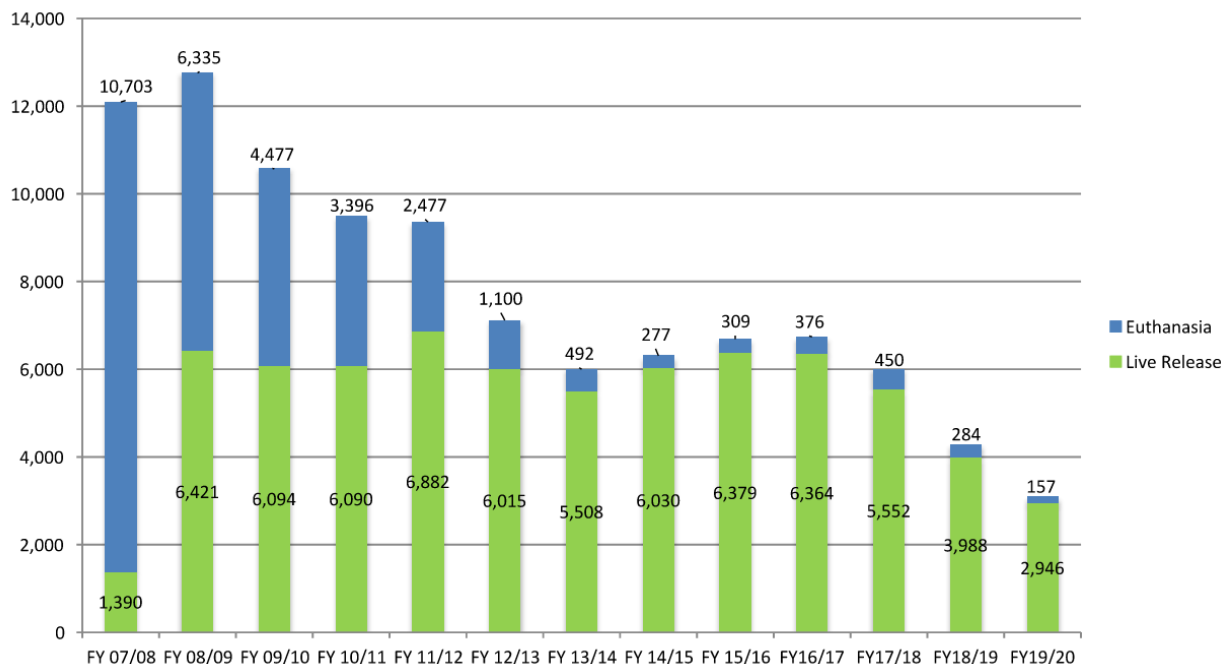


Figure 6.10: Shows trends in decreasing intake and euthanasia of cats after implementing community cat programming partnership in 2008 between the city of Jacksonville and the non-profit spay/neuter clinic, First Coast No More Homeless Pets.

In 2021, approximately 700 community cats and 1,250 kittens entered the shelter. With an effective community cat program that includes a foster finder program for kittens, the shelter can realize a conservative 50 percent decrease in feline intake in the first year alone.

Recommendations for the San Marcos Regional Animal Shelter

- Collaborate with area non-profit organizations to create/support a Community Cat Coalition so there is one central hotline for links to assistance with any issues including spay/neuter and Working Cat placements. (Note: local groups are already in discussion about this coalition and all municipalities have been invited to attend.)
- When in place, refer callers regarding community cats to the coalition.
- Update the Interlocal Cooperative Agreements with municipalities specifying the pathways for community cats that do not include shelter intake unless spay/neuter capacity is available.
- Discontinue the pick-up of healthy community cats by San Marcos Animal APOs or field teams from unincorporated Hays County, Kyle, and Buda who are not part of an enforcement case (including sick or injured) or shelter/neuter/return (SNR) or trap/neuter/return (TNR) program.
- Discontinue accepting healthy community cats from the public unless they are part of an enforcement case (including sick or injured) or SNR/TNR.
- Discontinue renting traps to the public for the purpose of intake and only for SNR/TNR.

Safety Net and Supportive Self-Rehoming

The process to help pet owners keep their pets may be called safety net, surrender prevention, intake mitigation or other terms, but essentially it is a support system to keep pets in their loving homes, reducing shelter intake and associated costs compared to a shelter intake. There is no Texas State Statute or local ordinance requiring that any shelter admit a healthy, non-enforcement, owned pet but this process has been common practice in the industry. Municipal leaders may question why public funds should be used to assist individuals but consideration should be given to the benefits to the shelter operation and budget.

At Memphis Animal Services in Tennessee, the director calculated that it costs the shelter a minimum of \$309 to accept, care for, and provide a live outcome opportunity for each pet. So, the Pet Resource Center staff was granted the authority to help a pet owner up to \$300 as this was a cost savings. It also reduced the number of pets staff had to care for each day which meant the shelter could operate a Fear Free environment under capacity for care.

Supportive self-rehoming empowers owners to find a placement for their pet by providing online resources and counseling to connect with interested adopters. Preventing a pet from entering the shelter benefits the pet, the owner, and the shelter team, not to mention the bottom-line budget. Many times, those surrendering were not aware of or did not have access to the temporary resources they needed, as mentioned (Weiss, E., Gramann, S., Victor Spain, C. and Slater, M. (2015) Goodbye to a Good Friend: An Exploration of the Re-Homing of Cats and Dogs in the U.S. *Open Journal of Animal Sciences*, 5, 435-456. doi: [10.4236/ojas.2015.54046](https://doi.org/10.4236/ojas.2015.54046)).

Community Services: Field Services and Discretionary Enforcement

Punitive enforcement actions should be reserved for perpetrators of cruelty, neglect, and true abandonment. As discussed, a community-minded discretionary approach to enforcement is a more productive process to gaining compliance and includes access to services and providing assistance in a variety of ways. The Santa Clara County, California field team transitioned to this approach years ago and turned high-intake areas into lower-intake areas. An excellent summary blog can be found here: <https://www.aspcapro.org/resource/involving%E2%80%90community%E2%80%90through%E2%80%90proactive%E2%80%90animal%E2%80%90control>.

The field services team should be considered part of the community outreach plan. Field services responsible for enforcement/investigations/intake of pets with no other options should be on the road Monday through Friday during the day with evenings, overnights, and weekends for emergencies only.

The recommended infrastructure for field services is most efficiently operated when overseen by the same entity as the shelter. The field services team is responsible for public and animal safety and that includes the requirement to be highly trained to recognize, document, and help prosecute animal cruelty and neglect. More detailed information regarding staffing, training, and budget considerations is discussed under **Proposed Hays County Departments and Table of Organization**.

Triage Admission Policies, Foster Finder, and Foster Care on Deck

Traditionally, 'open' admission shelters have not managed intake in any way. Thankfully, this has changed and especially since the onset of the pandemic, many shelters now require appointments for owner surrenders. In places like Jacksonville, Florida, the city shelter also requires appointments for stray dogs and no longer accepts healthy community cats as they go directly to a spay/neuter/return program instead of the city shelter. Requiring appointments for non-emergency cases offers the distinct advantage for staff to intervene and provide safety net and self-rehoming resources so all alternatives are exhausted, and the shelter intake utilized only as a last resort. Examples are Adopt-a-Pet Rehome (already in use by the SMRAS) and home-home.org.

For dogs at large (community free-roaming cats should be part of a community cat management program), finders may be able to foster non-enforcement cases. This program, often called foster finder, capitalizes on the knowledge that dogs kept in their own neighborhoods are more likely to be reunited with their owner, as they were close to home when picked up by field services and taken to a location outside that neighborhood.

Recent data from Dallas, San Antonio, and Austin, Texas and Memphis, Tennessee has shown that dogs were <0.4 miles away from their homes, suggesting they were not actually lost (see also **Impactful Community Programming and the Link to Social Services**). This is why field services teams are encouraged to make efforts to find the owners of a dog at large while in their neighborhood or better still, that calls regarding at large dogs are directed to safety net staff first, instead of field services.

If the finder is unable or unwilling to foster, they can at least be asked to post information about the pet on the commonly used NextDoor app and ask neighbors if they are familiar with the dog to increase the likelihood of reunification. Nationally, dogs at large brought to shelters as stray are reunited with their owners only 15 to 22 percent of the time.

Some shelters, like Marion County Animal Services in Florida, also work hard to network with partners when faced with large hoarding and/or emergency cases. In 2019, the enforcement team responded to a call and found more than 500 cats in one house. Working with the owner and partners, all 500 were managed and placed without ever entering the shelter. This case serves as an important reminder that there are other and better alternatives that can be explored with partners besides a shelter intake that when unchecked, overwhelms the system.

If a pet does enter the shelter, a foster-on-deck system moving pets quickly into a foster home as their avenue for adoption, keeps the length of stay in the shelter short. At Pima Animal Control in Arizona, for the first part of the pandemic, animals entering the shelter stayed a day or less before leaving to a foster-on-deck volunteer. This is the ultimate goal of a community-foster-centric animal welfare system.

The triage system then allows for finite shelter space to be used for pets with no other options or who are victims of cruelty, neglect, and abandonment and allows the shelter to operate within the capacity for care. However, non-aggressive pets should also be placed in foster care when there is a requirement to hold them for extended periods of time and the legal agreement to do so created through the county attorney's office.

The ratio of hours available for intake by field services or from the public, and the live outcome of pets must also be designed to set the system up for success instead of the traditional system set up for failure.

Again, this means exhausting all options for intake for non-emergency cases and balanced hours of operation, seven days a week. Live outcome opportunities should be scheduled seven days a week, only emergency intakes on the weekends, and short blocks for owner surrender appointments. Consideration should also be given to the surgery capacity. So, for example, a community cat part of a TNR program should not enter the shelter on a Friday if there is no surgery scheduled until Monday.

Animal welfare experts agree that triage, appointment-based intake is an effective strategy. Some examples are:

- <https://www.frontiersin.org/articles/10.3389/fvets.2022.809340/full>
- <https://www.nacanet.org/naca-guideline-on-appointment-based-pet-intake-into-shelters/>
- <https://network.bestfriends.org/education/manuals-handbooks-playbooks/managed-intake-or-admissions-training-playbook>

Recommendations for the San Marcos Regional Animal Shelter	
-	Require appointments for non-emergency owner surrender intakes after safety net services offered.
-	Although no data was provided regarding higher adoption returns by college students, it was a general impression. Therefore, ensure that anyone needing to rehome their pet is provided with self-rehoming information and links to safety net services, including college students.
-	Create foster-on-deck program.
-	Balance intake and live outcome hours.

Intake Procedures

Fear Free is a movement that began in the private veterinary practice sector to reduce fear, anxiety, and stress for pets going to a veterinary clinic. Fear Free Sheltering training is specific to shelters and available online, at no charge and self-paced (fearfreesheltering.com). All shelter and field staff and volunteers (and board members of a non-profit animal welfare organization) should be required to complete the training. Shelters are unnatural holding facilities and though staff and volunteers are well-intentioned, pets are exposed to a myriad of unfamiliar pets, people, smells, schedules, and environments. All efforts for an organization holding animals in confinement must make every effort to provide a Fear Free environment and address the 5 Freedoms. The 5 Freedoms encompassing both the mental and physical well-being of animals include freedom from hunger and thirst; freedom from discomfort; freedom from pain; injury and disease; freedom to express normal and natural behavior, and freedom from fear and distress (<https://docs.google.com/document/d/1kEfqY%E2%80%90VPrm60x09fXe3YQIHTEskr%E2%80%9020nBrwyS9qwZqgJw/edit>).

From the point of intake, felines and canines (and all predator/prey species) should be kept on individual pathways and this includes the intake room. For pets with no other options that enter the shelter, an exam room where the pet receives their physical exam, weight, identification band and cage card, preventive care, necessary testing, and flattering photo should be in a quiet area in order to minimize fear, anxiety, stress, and frustration in the new and unfamiliar shelter environment. All canines and felines

should receive core vaccinations at the point of intake and preferably rabies vaccinations, if old enough, as well as deworming and flea/tick prevention.

The point of intake is when the initial plan of action for each pet is made to ensure the quickest pathway to the shortest length of stay in the shelter (see **Population Management**).

Recommendations for the San Marcos Regional Animal Shelter	
-	Ensure all pathways for dogs and cats are kept separate including the intake room where pets are provided with preventative care
-	Perform heartworm tests on intake for dogs over 6 months of age so the appropriate pathway plan can be made
-	Consider discontinuing screening of all felines for Feline Immunodeficiency and Leukemia viruses after educating all local veterinarians (The 2020 American Association of Feline Practitioners Guidelines can be found here: Download - 2020 Feline Retrovirus Guidelines and a helpful summary webinar regarding the recommendations by Dr. Julie Levy from the Maddie's Shelter Medicine Program at the University of Florida can be found here: https://youtu.be/KdsMiZjwdpo).

Population Management

Once all options to a shelter intake have been exhausted and the pet enters the shelter, a plan of action should be made at the point of intake. As discussed, with the goal of a community-foster-centric animal welfare system, moving pets into foster care quickly as another pathway to adoptions is crucial.

This is because a length of stay in any shelter has only negative consequences that include overcrowding and exceeding capacity for care, inability to house shelter pets humanely, higher levels of preventable infectious disease, inability to provide enrichment in a Fear Free environment, stress for pets and people, decreased lifesaving potential, and ultimately a reactive waste of resources.

There are two major variables affecting capacity for care and design recommendations for a new shelter building. One is the number of pets entering and the other is the length of stay. A length of stay over 14 days is considered long in a shelter and this key variable is the difference between right-sizing a new shelter building or over-building which exponentially increases the budgetary implications.

To effectively manage the shelter population, staff must create dynamic action plans for each pet with key or several staff responsible for daily rounds. With this system in place, the shortest length of stay to the best possible live outcome can be achieved or when appropriate euthanasia is needed, it can be done without delay when that is the ultimate outcome. This system depends on the entire team communicating and working together towards the most effective advocacy.

Inevitably, field and shelter teams face space issues with large confiscations. The more effective a shelter team is at managing the population with short lengths of stay and communicating needs effectively, the more effectively they can deal with emergency intakes. The Human Animal Support Services toolkit provides step by step guidance on how to best handle these situations: <https://heartsspeak.org/communications-kit-space-crisis/>.

Recommendations for the San Marcos Regional Animal Shelter

- Establish a Daily Rounds Team to ensure each pet has a plan of action to the best possible placement in the shortest length of stay.
- Address bottlenecks of animal flow-through that include, but are not limited to, releasing pets as foster-to-adopt if pending spay/neuter and rabies vaccinations (with the appropriate agreement in place to ensure compliance), moving animals quickly to foster care as a pathway to adoptions, utilize foster volunteers to care for pets in Safe Keeping program.
- Establish the goal of a 14-day length of stay and have a plan for advanced advocacy when the length of stay is exceeded.
- Create an advocacy plan for dogs in the shelter between two and nine months with the help of the newly added behavior team member.
- Utilize this HASS toolkit: <https://heartsspeak.org/communications-kit-space-crisis/>.

Feline Housing, Husbandry and Enrichment

The best practice standards for feline housing are as follows:

- As per the Association of Shelter Veterinarians (ASV), a cage that is appropriately 4'-5' long
- Double compartment for safe handling and cleaning
- Variety of enrichments items in the housing
- Cats housed away from dogs
- Cats housed to fast track through the shelter



Figure 6.11: Cat Portal

The above image shows a feline friend walking through a cat portal within their cat cage. This portal connects two stainless steel cat cages together, which transforms inadequate cat cages into fulfilling the four-to-five-foot size requirement and the double-compartment requirement. These requirements are extremely important to cats because to be happy and healthy they need at least a three-foot separation between their litter box and their food. Double-compartment cages allow for food to be on one side, and a litter box to be on the other side. Additionally, while a staff member cleans one side of the housing, the

cat can be on the other side which allows for a minimally stressful cleaning experience for all parties involved. Stress is directly related to the incidence of upper respiratory infections in cats so by providing appropriate housing spaces and short lengths of stay, the rate will be reduced or mitigated altogether.



Figure 6.11: Feline Housing

Another important factor for socialized felines in animal shelters is their ability to socialize with either staff members, volunteers, or potential adoptees. The above image shows a great example of housing spaces large enough for people to socialize with the cats. The lower portion is frosted glass which allows for privacy without promoting claustrophobia, while the upper portion is metal grating which promotes air flow. These rooms are large enough for people and cats to be together comfortably which can help the cats' mental well-being, along with giving adopters a comfortable space to socialize and get to know different felines.

Appropriate double-compartment cages are a requirement for cats in confinement. Ample space not only reduces stress for the cats and lowers rates of upper respiratory infections as a result, but compartments with a door between them can be closed so the staff can spot clean one side of the compartment safely. Spot cleaning is imperative as removing cats from their enclosure to do a deep disinfection is contraindicated as it is stressful for the cats, removes familiar scents, and increases risk for the staff. Full sanitation can be done once the cat leaves the enclosure permanently.

Cats, like people, have a variety of preferences. Some cats may enjoy a free-roam room in the company of other cats, while others prefer their own double-compartment housing. Options to behave normally are crucial so perching options in a free-roam room and hiding spots in both types of housing are imperative. Some experts recommend only using free-roam rooms for bonded cats as it may take up to three weeks for the cats to assimilate to one another (and the industry standard recommendation is <14 days in the shelter to their live outcome opportunity).

All animals in confinement need appropriate enrichment in their environment where they can behave normally. For cats this includes scratching, interactive toys, and a soft bed. Since cats are grazers, they should have access to dry food at all times and the option of canned food twice daily.

Canine Housing, Husbandry and Enrichment

The best practice standards for canine housing are as follows:

- Most importantly, durable housing
- Sized appropriately for the dog
- Double compartment for easy, safe handling and cleaning
- Access to the out of doors
- In kennel enrichments
- Strategies to reduce length of stay



Figure 6.12: Canine Kennel

The above photo shows the interior portion of a double-compartment canine kennel. The front of the kennels are metal grates, which allows the dogs to have ventilation and be aware of what is going on outside of their kennel. This also allows for staff members a view to the canines, potentially even from another room through an interior window. Another important aspect to interior housing for canines is cleanability, which involves flooring material, drains, and a means to clean. Ideally, a non-slip, wet-application flooring is installed, with drains within the kennels, as well as the hallways (so that each space can be cleaned independently), and ceiling-mounted hoses for wash down and application of disinfectant. The ability to clean is especially important for canines because they are housed on the floor.



Figure 6.12: Outdoor runs, canine kennel

Indoor/outdoor runs are beneficial to canines' mental well-being and physical health. The outdoor portions of kennels should ideally be covered by an overhang to protect the canine from harsh sunlight and rain. There are visual barriers between each dog, but the front of the runs are metal grids which help the canine not feel trapped and promotes quality air flow.



Figure 6.12: Canine Enrichment

Enrichment can be woven in with architecture as seen here. This is an designed, interactive play yard, but something as simple as a kiddie pool filled with water can bring much joy into a shelter dog's stay.

Double-compartment kennels benefit both dogs and people. To easily sanitize the kennel, which should be done each morning, the staff can sequester the dog on one side and close the divider door. This is safest and most efficient for the staff. Fresh food and water can be provided after the kennel is cleaned then the dog moved over so the opposite side of the kennel can be sanitized. Dogs should be fed a mixture of consistent quality dry and canned food twice daily. Food puzzles are another excellent way to provide added enrichment and treats to occupy dogs while in confinement.

Play groups are a non-negotiable part of the enrichment program for shelter dogs. Every dog, every day should have play group time with the exception of those who do not enjoy play groups. Dogs Playing for Life (dogsplayingforlife.com) and Shelter Playgroup Alliance (shelterdogsplay.org) are the two organizations offering onsite training. When designing a new shelter facility, appropriate play yard spaces must be included.

Natural, free play and exercise is imperative for dogs in confinement. These programs have proven to lower stress hormones, decrease the length of stay, and increase adoptions (<https://pubmed.ncbi.nlm.nih.gov/21862471/>, <https://dogsplayingforlife.com/2021-impact-report/>).

Many of these programs are run 100 percent by volunteers and they offer the added benefit of endless opportunities to get social media content of dogs at their best.

Human and canine companionship, in and out of kennel enrichment, and a comfortable, soft bed to rest are key components of a Fear Free shelter environment for dogs. But focusing on preventing their intake and if they do enter, the shortest length of stay to the best possible placement are more beneficial for dogs and people.

Recommendations for the San Marcos Regional Animal Shelter

- Apply for play group training through Dogs Playing for Life (dogsplayingforlife.com) and/or Shelter Playgroup Alliance (shelterdogplay.org).
- Advertise the playgroup training and enlist the help of volunteers to run playgroups.
- Utilize the dog behavior staff person to provide in and out of kennel enrichment and assist with safety net services.

Shelter Medicine and Surgery

Basic medical care must be provided for each shelter pet and that is most easily accomplished by a staff veterinarian(s) so there is consistent care and protocols, training of staff, disease surveillance and prevention measures in place, as well as timely attention to medical issues and spay/neuter.

It is becoming more common for shelters to have digital X-ray units and the ability to do bloodwork in house for shelter pets. While a medical area with separate spaces for canines and felines at least divided by a glass wall, should be available for critical cases, pets should be available for foster, adoption, and rescue transfer and released with medical waivers. The more the community is engaged proactively keeping pets out of the shelter and caring for them, the fewer pets will be housed at the shelter which is beneficial for all involved.

Infectious diseases contagious between pets are problematic in shelters and rates of these diseases decrease as the number of pets housed decreases. However, viruses like parvo virus and distemper virus in canines and panleukopenia virus in felines may be incubating in a pet on intake from prior exposure and they may become clinical in the shelter. Safety net, triage intake, and foster care helps keep the number of pets in care to a minimum, but since there are no tests to know which pets may be incubating disease, isolation areas for clinical pets must also be part of the shelter design and potentially used as flex spaces when there are no sick pets staying at the shelter.

Most pets entering shelters are from socioeconomically disadvantaged pet owners and therefore usually intact. At the point of intake, the surgery appointment should be made so the pet can be sterilized the next available surgery day when surrendered by their owner or the day after their stray hold for a dog. For cats, it can be assumed that an appropriate community cat management program is in place so few would enter the shelter unless they are part of an enforcement case. The same pathway plan to spay/neuter would then apply.

Special surgeries like dentals or simple mass removals should also be part of the shelter surgery plan. Addressing these medical issues for the potential adopter and rescue partners will reduce length of stay and move pets into homes or rescues/transfers quicker. As a general rule, there should be two veterinary technicians and one technician assistant or three veterinary technicians per veterinarian. That way, the veterinarian can focus on doctor-only tasks and delegate care and treatment to the medical team, so their expertise is used most efficiently. All staff should be trained to do a basic physical exam, recognizing general abnormalities to be brought to the attention of the veterinarian and basic disease surveillance (see also **Proposed Hays County Departments and Table of Organization**).

Recommendations for the San Marcos Regional Animal Shelter

- Increase salary for full-time veterinary position so competitive in today's market.
- Consider adding the option of two part-time work veterinarians due to the tight market and continued forecast of veterinary shortages over time.
- Establish goal of increasing the number of surgery days to Mondays, Wednesdays, and Fridays in order to decrease the overall length of stay for shelter pets.
- Create a foster-to-adopt program with a spay/neuter release so pets may leave with their adopter while pending spay/neuter. Utilize technology to keep track of pending surgeries.
- When able to increase surgery capacity, consider continuing accepting healthy community cats only if surgery slot available that day or the next day and the cat can be returned to its home location the day after surgery (or to a working cat placement when appropriate).

Live Outcome Options

Additional Guiding Principles

- Showcasing shelter pets at their best can only happen in a Fear Free environment when their physical and emotional needs are met.
- Bios highlighting the pet's best characteristics will attract the most attention.
- Social media content with heartwarming pictures and videos is imperative.
- The live outcome process, whether to reunification, foster, adoption, or transfer should be streamlined, barrier-free, and efficient.
- Live outcome hours should exceed the number of potential intake hours.
- The Pet Resource Center should be open seven days a week.

Return to Owner

As discussed, nationally only 15 to 22 percent of dogs and less than 2 percent of cats are reunited with their owners from a shelter, so the process of removing pets from their neighborhoods and admitting them to shelters with the goal of reunification has largely proven ineffective with a 78 percent and 98 percent failure rate, respectively. The community cat management program should be viewed as the analog to the return to owner program for dogs as *most* cats are returned to their original home location through that program.

In addition, we now know this is an issue of inequity as those mostly intact pets are taken from lower income neighborhoods and then adopted to people who typically pay an adoption fee. This leaves the lower-income neighborhoods and pet owners underserved and the cycle continues. Efforts to keep pets with their people, subsidizing spay/neuter for those high-risk groups and engaging foster finders can prevent that cycle from continuing.

As discussed in the **Triage Admission Policies, Foster Finder, and Foster Care on Deck** sections, keeping dogs at large in their neighborhoods will increase the chances of reunification. At Memphis Animal Services in Tennessee, calls for a dog at large are answered by The Pet Resource Center staff, so the team has an opportunity to discuss the foster finder program for a non-enforcement dog. If that is not possible

then the call is routed to a field officer thus reserving their time to focus on more serious public and animal safety issues. This is a more efficient and impactful use of staff time and areas of expertise.

Other strategies now commonly used are engaging the finders in posting on the NextDoor app and local lost and found community Facebook pages and for the sheltering organization to provide microchip scanners throughout the community in places like police and fire stations, so finders have more options to check for a microchip than just the shelter or a veterinary office. More information can be found here (<https://www.humananimalsupportservices.org/toolkit/lost-pet-reunification/>).

Recommendations for the San Marcos Regional Animal Shelter	
-	Consider creating a position dedicated to the foster finder program with a staff person who assists callers before dispatching APOs.
-	Require that all municipalities codify a financial incentive for spay/neuter, licensing, microchip, and rabies vaccination in lieu of fees and fines for reunification.
-	Utilize Lost and Found toolkit: (https://www.humananimalsupportservices.org/toolkit/lost-pet-reunification/).

Foster Program

As discussed, the animal welfare industry has been transitioning from a shelter-centric, intake bias to a community-foster-centric model, similar to the transition in child welfare decades ago.

If a foster-on-deck volunteer is not available and the pet is admitted, staff should still be advocating for them to go to foster. As per Maddie's Fund, this results in a permanent placement, with the foster volunteer or one of their connections, 80 percent of the time (maddiesfund.org). Foster care should be viewed as the preferred pathway to adoption, in particular for pets who are not adopted directly from the shelter soon after they enter. Time in foster care also provides ample time for the volunteer to capture heartwarming pictures, videos, and stories in order to make the best possible placement. A home should always be the preferred place for a shelter pet.

Programs with robust foster programs do not limit advocacy to existing fosters but engage Foster Finders, good Samaritans, and cast a wide net in the effort to partner with the community in the common goal of placement. At the city of Jacksonville, Florida shelter, the number of fosters increased from 456 to 3,774 in one year when the two coordinators enlisted the help of good Samaritans. This community also has ample live outcome opportunities so shelter pets move through the system quickly from intake to foster to adoption.

Barriers to foster volunteering should be removed and the mandatory in-person orientation replaced with a short online video orientation and online resources with frequently asked questions. The municipal attorney should create a legal agreement so that it is clear that the pet is still in the custody of the shelter.

Providing all supplies and utilizing technology to communicate with foster volunteers regarding preventive care rechecks, medical checkups or spay/neuter appointments is important so the volunteer's time is respected, and the foster coordinator can easily manage many pets in foster care at once.

Although neonatal kitten nurseries have been tried, these spaces tend to struggle with the same infectious disease issues seen in shelters where large numbers of animals are housed together and are not recommended. Using foster care homes, where the most vulnerable populations, neonates, kittens, or puppies, can be cared for individually is most effective and safe.

Recommendations for the San Marcos Regional Animal Shelter

- Remove barriers for foster volunteers and create a short training video and informational handout instead of requiring an in-person foster orientation.
- Create a foster-on-deck system.
- Identify pets best suited for the foster care pathway and alert foster volunteers on-deck.

Adoption Programs

There are now many pathways for adoption for pets in need of a new home. Shelters should require that owners first attempt to rehome their pet via sites like Adopt-a-Pet Rehome or Home-Home.org. The shelter can then market those pets for adoption along with the pets in the shelter, while they are cared for by their original owner until placement. This process benefits the owners, the pets, and the shelter not to mention reduces the cost of care for those pets who would have otherwise been cared for at the shelter. This also places the shelter intake as one of the last resorts instead of the first and easiest options. Advocacy for pets in need of a new home should be done in a positive manner, always highlighting the pet's best qualities. Captivating social media posts must include flattering pictures.

The adoption program should be designed in line with the *Adopters Welcome* guidelines by the Humane Society of the United States (<https://humanepro.org/page/adopters-welcome-manual>). These crucial guidelines help organizations release bias, judgment, and fear by presenting facts, data, and research to support that *most* people are good and well-intentioned who come to shelters to adopt. Sadly, as per a Best Friends Animal Society survey, 76 percent of those who purchased pets from a breeder reported that they had been to a private shelter or rescue group, but it was too cumbersome, invasive, or they were unjustly denied an adoption (bestfriends.org).

Visitors to an adoption agency should feel welcome and engaged in a use-friendly process with minimal barriers. Potential adopters should be able to view all pets and walk at their own pace around the shelter campus. Exceptions would be community cats being returned to their home location, enforcement cases, and pets who are severely ill or injured. To improve the adopter experience, some shelters are using QR codes on the cage card for the potential adopters to find out more about the pet and the adoption process.

For dogs, visiting one-on-one in a confined space, either indoors or outdoors, allows for the dog to interact more naturally with the potential adopter. The importance of playgroups and social media content cannot be over-emphasized as potential adopters see dogs at their best. Playgroups have shown to decrease the length of stay and increased adoptions (<https://dogsplayingforlife.com/2021-impact-report/>).

For confined cats in enclosures; however, moving them into a visiting room where they are unaccustomed to the smells, sights, and sounds of a different space is stressful and should be avoided. Free-roam rooms with catio spaces or large runs for cats and comfortable places to sit for visitors, are an excellent way for potential adopters to get to know their potential cat.

All programs, policies and procedures should be laser-focused on the shortest lengths of stay so pets should leave on a first come/first serve basis whether to foster, an adopter, or a rescue partner. Each section in this report contributes to these goals whether it is a flattering picture on intake, spay/neuter quickly, effective population management to a short length of stay to minimize the spread of infectious disease, or providing for each pet's emotional needs so they show their best selves.

Recommendations for the San Marcos Regional Animal Shelter	
-	Unless a veterinarian onsite is available to vaccinate pets against rabies, release pets pending a rabies vaccination with instructions to see their veterinarian or return to the shelter during the hours the veterinarian is onsite.
-	Require all staff and volunteers read <i>Adopters Welcome</i> by the humane society of the United States (https://humanepro.org/page/adopters-welcome-manual).
-	Consider using the program Adoptimize to capture flattering pictures of shelter pets (adoptimize.co).
-	Consider fee-waved adoptions that correlate with lower lengths of stay. (At the time of visit, the average length of stay in the shelter was 45 days, when the goal is under 14 days.)

Rescue and Transfer/Transport Partnerships

Historically, municipal shelters saved very few animals so non-profit rescue organizations were formed in an effort to reduce euthanasia. As per the Humane Society of the United States there are approximately 10,000 rescue groups in the U.S. Some concentrate work locally, while some extend regionally and even nationally. These groups work through a foster volunteer network exclusively and serve as important safety net pathways to keep pets from entering the shelter.

Transfer or transport partners can mean several different things. Transfer is usually to another shelter geographically close to the often overcrowded source shelter, that can save pets, period, or save them quicker through their placement program. Transport typically refers to longer distance transport via ground or air to shelters in parts of the country where there are fewer pets in shelters such as the northeast, northwest, and central U.S. These programs can be extremely cumbersome and expensive.

As all the proactive measures outlined in this report are created and implemented in a shelter, the dependency on rescue groups, transfer, and transport partners diminishes. This is a welcomed transition as it simplifies lifesaving and takes the enormous pressure of time constraints to move pets out of the shelter from the shelter staff and rescue, transfer, and transport partners. But support for those local non-profit rescue partners, in particular, is crucial as part of the public-private collaborative efforts as they serve as important safety net partners that decrease shelter intake.

With any shelter partnership at the individual pet level, such as foster care or adoption or the organizational level with other municipal agencies or non-profit partners, there must be clear and mutually beneficial guidelines for all partners outlined in legal documents created by an attorney. Guidelines should include a first come/first serve system so the shortest length of stay can be achieved.

Recommendations for the San Marcos Regional Animal Shelter

- Create streamlined system of communication with rescue partners that reduces barriers to outcome.
- Post high-risk pets for rescue transfer at the point of intake or as part of the action plan during daily population management rounds in addition to those who are injured or neonatal.
- Continue to build transfer partnerships with the Houston SPCA, Montgomery County Animal Shelter, and the Bissell Pet Foundation.
- Once playgroups are established, capture social media content to share with the public and rescue partners to replace individual evaluations.

Volunteer Programs

Volunteer programs are an essential, non-negotiable part of achieving a Fear Free environment for shelter pets. A well-run, robust volunteer base with minimal barriers to volunteer, and a welcoming environment where volunteers feel useful and appreciated is not only beneficial for the pets but eases the workload of paid staff and has positive budgetary implications.

Volunteers with special skill sets in marketing, community engagement, animal training, photography, and more can be invaluable partners advocating for pets. Jobs for volunteers should be balanced with the needs of the shelter operation and what the volunteer enjoys or is capable of doing. There are endless opportunities for people to help virtually and off site with lost and found connections, adoption and training counseling, transportation and more, in addition to helping at the shelter. As programs grow or are created, a volunteer force can mitigate the funding needed for additional paid staff.

At Anne Arundel County Animal Care and Control in Maryland, a volunteer spear-headed and manages a lost and found Facebook page. This program is responsible for reuniting hundreds of pets a year, preventing them from entering the shelter. In Aiken County, South Carolina, the Friends of the Animal Shelter manage playgroups, adoptions, and more for the county shelter in an award-winning public-private partnership. At Rochester Animal Services in New York, the volunteer Friends of Verona Street non-profit group funds two positions at the shelter. The list of opportunities to engage volunteers is endless and a program coordinator is a key position needed that will more than pay for itself.

Some excellent references include but are not limited to:

- *Volunteer Management for Animal Care Organizations* by the Humane Society of the United States
(<https://www.humanesociety.org/sites/default/files/archive/assets/pdfs/hsp/volunteer.pdf>)
- *Best Friends Animal Society Volunteer Handbook*
([https://resc-files-prod.s3.us-west-1.amazonaws.com/s3fs-public/inline-files/Volunteer Handbook 2019.pdf?hOUHIGSN9GlaYfVhr72wuMOzDgWh6qar](https://resc-files-prod.s3.us-west-1.amazonaws.com/s3fs-public/inline-files/Volunteer%20Handbook%202019.pdf?hOUHIGSN9GlaYfVhr72wuMOzDgWh6qar))
- *Leadership and Volunteer Management*
(prosocialacademy.org)

Recommendations for the San Marcos Regional Animal Shelter
- Conduct a survey of current and previous volunteers to understand how the program can be improved.
- Ensure all staff are welcoming, cordial, and appreciative of volunteers.
- Consider removing barriers to volunteering and just like foster volunteers, create a video that can be viewed online and provide written guidelines with pertinent information.

7 Existing San Marcos Regional Animal Shelter Facility Recommendations

The San Marcos regional animal shelter facility currently contains the following spaces:

- *Public lobby*
- *Veterinary services areas (these are undersized)*
- *Dog kennels in detached buildings*
- *Cat housing areas (sometimes commingled with dogs due to overcapacity of dogs and not recommended)*
- *Outdoor play areas for dogs*
- *Support areas such as laundry and food prep*
- *Office and break space for staff (overutilized and undersized)*
- *Animal Control open air sallyport*

The general condition of the building is acceptable, although it is overcrowded in every functional area. Much of the overcrowding of dogs can be resolved with rigorous implementation of sheltering best practices, along with more robust staffing and volunteer programs. Larger facilities for animals are not the primary priority, compared with moving animals through the shelter more quickly. However, there are many other areas in the shelter that would benefit from expansions and improvements.

On Tuesday April 26, 2022, Animal Arts and Team Shelter USA conducted individual interviews with most members of the San Marcos Regional Animal Shelter staff. Below are the top 10 items that staff would like to see change in the facility:

- Fix drain clogs in stray kennel building
- In need of a dedicated surgery suite
- In need of more rooms for staff, volunteers, and adoptees
- Improvements in dog kennel buildings - lighting and acoustic solutions, ventilation
- In need of reorganization so cats and dogs are not housed together, and staff is not required to walk cats through dog areas
- More storage in all areas but especially for animal food so the space is climate/vermin controlled
- Improve play yard
- Install cat portals
- Bird population management

Here are some images of the current facility and some recommendations on how to solve some issues:



Figure 7.1 & 7.2: Play yards at SMRAS

1. SMRAS has two nicely sized dog play yards between the kennel buildings. However, there are drainage issues which are causing a large puddle of water in the center of the turf in one yard when it rains. Roof drainpipes can be rerouted, so they are not dumping into this yard. Shade cloth should be added over the tops of these areas to shade the hot sun, and a visual screening fence should be added between outdoor dog kennels and the yards. Additionally, if the staff had more storage to put items, then these play yards could be used to their fullest potential.



Figure 7.2 & 7.3: Feline housing at SMRAS

2. The stainless steel cat housing at SMRAS is a great start for creating a best practice standard housing for felines. These cages are under the ASV standard size of four to five feet, but the addition of cat portals can provide this standard, required minimum size. Additionally, the cat portals would allow for low-stress cleaning, separation of litter boxes and food, and bring SMRAS feline cages up to best practice standards once cats are not housed with dogs.



Figure 7.4, 7.5 & 7.6: Interior spaces at SMRAS

3. SMRAS would benefit from extra storage space. This would allow the staff to use certain areas of the shelter for their intended uses, and also relieve them from the stress of clutter.



Figure 7.7, 7.8 & 7.9: Veterinary spaces at SMRAS

4. The veterinary area at SMRAS is not compatible with the volume of animal care that the veterinary technicians perform each day. The room that surgeries are performed in does not have a door, and circulation from staff areas to the kennels runs parallel to the surgery tables. Furthermore, there is no recovery room or prep room, and storage and workspace are minimal. To continue doing veterinary work at this facility, it is highly recommended that a new veterinary area be added, or the current veterinary area be re-configured, borrowing from other adjacent space. In other words, either more veterinary space or more staff space needs to be constructed, to relieve pressure overall on the building.



Figure 7.10: SMRAS site plan

The above site plan of the SMRAS shows that there is minimal space available for additions. Therefore, Animal Arts recommends the construction of a free-standing, prefabricated storage structure, with HVAC. This would take minimal space on the site, but would give relief to staff and the facility through additional storage. With the extra space in the SMRAS building, staff could potentially reorganize their isolation wards to achieve separate isolation areas for dogs and cats. Further, the shelter has the ability to become handicap accessible if objects were moved out of doorways and walking paths. The crates that SMRAS is currently using to house over-capacity canines can also be moved into storage once SMRAS is under capacity again. Additional storage can allow the SMRAS to improve the quality of life for the animals, along with the day-to-day operations of the staff.



Figure 7.11: SMRAS site plan with new suggested areas

The above site plan shows potential locations for the Veterinary Addition and Storage highlighted in orange. Please note that SMRAS will potentially have to acquire more land to provide space for these additions.

Budget for Existing Facility Renovations

Below is the recommended budget for renovations to animal housing and the veterinary clinic at the SMRAS that will significantly improve the quality of life of the animals and increase the quality of care staff will be able to provide. Animal Arts and Team Shelter USA recommend the following sequence of renovations, ranking from Priority 1 to Priority 2.

Also note that installation of portals is simple and a volunteer familiar with the use of a nibbler or other appropriate tool that cuts metal, would be able to install the portals. Instructions regarding installation can be found here: <https://www.sheltermedicine.com/library/resources/?r=cat-portals-order-information-and-%20instruction-for-installation>.

Priority 1:

Portalization of Existing Cat Housing

Hard Costs:

Portals	\$75	per portal	x 55	=	\$4,125
Site Improvements:	\$300	per portal	x 55	=	\$16,500
Total Project Costs:					\$20,625

Priority 1:

Critical Stray Dog Kennel Renovations

Hard Costs:

Dog Kennel Scope

Demolition	550	s.f.	x	\$5	\$2,750
New Slab Patches	550	s.f.	x	\$20	\$11,000
New Drains	\$2,500	per drain	x	55	\$137,500
Patching Finishes	550	s.f.	x	\$20	\$11,000
Lighting, Acoustics, Ventilation	3,900	s.f.	x	\$75	\$292,500
Construction General Conditions	3,900	s.f.	x	\$35	\$136,500
Subtotal Hard Costs					\$591,250

Soft Costs:

Professional	10%	=	\$59,125
Equipment		=	NIC
Contingency	15%	=	\$88,688
<hr/> <i>Subtotal Soft Costs</i>			\$147,813

Total Projected Costs: **\$739,093**
Inflation if not built in 2022 *6% per year*

Priority 1:

**Addition of Veterinary Clinic, Backfill of
Veterinary Space to Create More Staff
Areas**

Hard Costs:

New Prefabricated Storage Building

New Construction	1,000	s.f.	x	\$200	\$200,000
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Vet Clinic Addition

New Construction	1,200	s.f.	x	\$550	\$660,000
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Backfill/Renovation	300	s.f.	x	\$100	\$30,000
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Construction General Conditions	3,900	s.f.	x	\$35	\$136,500
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<hr/> <i>Subtotal Hard Costs</i>					\$591,250
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Soft Costs:

Professional	10%	=	\$102,650
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Equipment	20%	=	\$205,300
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Contingency	15%	=	\$153,975
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<hr/> <i>Subtotal Hard Costs</i>				\$461,925
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Total Projected Costs: **\$1,488,425**
Inflation if not built in 2022 *6% per year*

8 New Facility Recommendations

Over the course of the needs assessment, including before, during, and after the workshop, the following program of spaces was developed and revised for a new Hays County Pet Resource Center.

Animal Housing Requirements – Approximate

Animal	YEARLY INTAKES	DAILY INTAKE	TARGET LOS	BASE CAPACITY	PEAK FACTOR	REQUIRED CAPACITY		
Adult Dog	673	2	14	26	1.20	31	39	Canines
Puppies	364	1	7	7	1.20	8		
Adult Cats	357	1	14	14	1.20	16	35	Felines
Kittens	636	2	7	12	1.50	18		
TOTAL	2030	6				74		

Figure 8.1: Approximate Animal Housing Requirements for Hays County

Open Door community clinic										
Room	Notes	#	Size		Net	Load	Gross	Exterior	Dogs	Cats
Stand Alone Building										
Lobby		1	14	x	20	= 280	1.33	= 372		
Public Restrooms		1	8	x	9	= 72	1.33	= 96		
Exam Rooms		4	9	x	10	= 360	1.33	= 479		
Laboratory/Pharmacy	<i>includes space for locked drug storage</i>	1	10	x	14	= 140	1.33	= 186		
Medical Treatment	<i>includes space for tech work stations</i>	2	12	x	14	= 336	1.33	= 447		
Radiology		1	9	x	10	= 90	1.33	= 120		
Dental Suite	<i>one table</i>	1	12	x	14	= 168	1.33	= 223		
Medical Ward		1	8	x	12	= 96	1.33	= 128		
Surgery Prep Tables	<i>includes space for a beach</i>	2	12	x	12	= 288	1.33	= 383		
Pack Prep		1	9	x	13	= 117	1.33	= 156		
Surgery	<i>four tables</i>	1	13	x	28	= 364	1.33	= 484		
Surgery Wards	<i>one dog, one cat, one TNR trap room</i>	3	8	x	12	= 288	1.33	= 383		
Dog sx runs		4	3	x	5	= 60	1.33	= 80		
Office		1	10	x	12	= 120	1.33	= 160		
Staff Restrooms		1	8	x	9	= 72	1.33	= 96		
Med Gas		1	6	x	8	= 48	1.33	= 64		
Electrical		1	6	x	8	= 48	1.33	= 64		
Medical Storage/ Janitor		1	9	x	12	= 108	1.33	= 144		
4,063										

Pet Resource Center												
Room	Notes	#	Size			Net	Load	Gross	Exterior	Dogs	Cats	
Shelter Public Spaces												
Adoption Lobby + Customer Service	triaged intake sized to work for training room	1	20	x	30	= 600	1.35	= 810				
Intake Lobby		1	14	x	16	= 224	1.35	= 302				
Public Restrooms		2	10	x	14	= 280	1.35	= 378				
Family Restroom		1	7	x	9	= 63	1.35	= 85				
Volunteer Room		1	10	x	14	= 140	1.35	= 189				
Meeting/Training		1	20	x	30	= 600	1.20	= 720				
Storage for Training		1	6	x	15	= 90	1.20	= 108				
Janitor		1	4	x	5	= 20	1.35	= 27				
Counseling		2	8	x	9	= 144	1.35	= 194				
Dog Housing												
Medium Dog Kennels	open selection concept (except bite hold)	18	4	x	6	= 432	3.00	= 1,296		18		
Outside Portions of Runs		18	4	x	6	= 432	2.50	= 1,080				
Large Dog Kennels	open selection concept (except bite hold)	14	5	x	6	= 420	3.00	= 1,260		14		
Outside Portions of Runs		14	5	x	6	= 420	2.50	= 1,050				
XL Dog Kennels	open selection concept (except bite hold)	10	6	x	6	= 360	3.00	= 1,080		10		
Outside Portions of Runs		10	6	x	6	= 360	2.50	= 900				
Puppy or Small Dog Kennels	other meet and greet outside each pod gets janitorial	6	4	x	8	= 192	2.00	= 384		8		
Meet/Greet		2	10	x	12	= 240	1.35	= 324				
Dog Janitorial		2	8	x	12	= 192	1.35	= 259				
Kennel Supervisor Office		1	10	x	10	= 100	1.35	= 135				
Outdoor Dog Play	covered with shade cloth (not included in "hard" roof total covered with shade cloth (not included in "hard" roof total	3	30	x	40	= 3,600	1.00	=				
Outdoor Meet/Greet		2	15	x	15	= 450	1.00	=				
Cat Housing												
Cat Runs		4	5	x	6	= 120	1.65	= 198				6
Catios		4	5	x	6	= 120	1.00	= 120				
Cat Caging	most open selection	18	3	x	5	= 225	2.25	= 506				18
Kitten Room		6	3	x	5	= 75	2.00	= 150			15	
Meet Greet		1	8	x	9	= 72	1.35	= 97				
Cat Janitorial		1	8	x	12	= 96	1.35	= 130				
Isolation Housing												
Dog Isolation		4	5	x	6	= 120	3.00	= 360		4		
Outside Portions of Runs		4	5	x	6	= 120	2.50	= 300				
Puppy Isolation		4	3	x	5	= 50	1.50	= 75		4		

Cat Isolation	8	3	x	5	=	100	2.00	=	200			8
Isolation Laundry/Prep	1	10	x	12	=	120	1.35	=	162			
Staff												
Locker Alcove	1	10	x	10	=	100	1.35	=	135			
Non-Gendered												
Restrooms	3	7	x	9	=	189	1.35	=	255			
Wellness Room	1	6	x	9	=	54	1.35	=	73			
Shower Room	1	6	x	9	=	54	1.35	=	73			
Break Room	1	14	x	16	=	224	1.35	=	302			
ACO Work Stations	6	6	x	8	=	288	1.50	=	432			
Staff Work Stations	6	6	x	8	=	288	1.50	=	432			
Offices (1 person)	6	10	x	10	=	600	1.35	=	810			
Director/Manager Offices	3	10	x	14	=	420	1.35	=	567			
Copy/Work Room	1	10	x	12	=	120	1.35	=	162			
Small												
Conference/Interview												
room	1	14	x	16	=	224	1.35	=	302			
Shelter Medicine and												
Surgery												
Pharmacy/Lab	1	9	x	14	=	126	1.35	=	170			
Tech Station	3	5	x	6	=	90	1.35	=	122			
Medical Treatment	1	12	x	14	=	168	1.35	=	227			
Dental	1	12	x	14	=	168	1.35	=	227			
Surgery Prep	<i>space includes beach</i>	1	12	x	14	=	168	1.35	=	227		
Pack Prep		1	8	x	14	=	112	1.35	=	151		
Surgery	<i>two table visibility from sx into cat/dog recov.</i>	1	13	x	18	=	234	1.35	=	316		
Surgery Wards		2	8	x	20	=	320	1.35	=	432		
Dog sx runs		4	4	x	5	=	80	1.65	=	132		
Veterinary Office		1	10	x	10	=	100	1.35	=	135		
Med Gas		1	6	x	8	=	48	1.35	=	65		
Medical Storage/ Janitor		1	8	x	12	=	96	1.35	=	130		
Special Care Dog Runs		2	6	x	8	=	96	1.65	=	158		
Intake and Support												
Spaces												
Feline Intake Exam		1	10	x	10	=	100	1.35	=	135		
Canine Intake Exam		1	10	x	14	=	140	1.35	=	189		
Central Dish Washing		1	10	x	14	=	140	1.35	=	189		
Dog Bathing Room		1	10	x	14	=	140	1.35	=	189		
Central Laundry		1	14	x	20	=	280	1.35	=	378		
Central Clean Linen												
Storage		1	12	x	14	=	168	1.35	=	227		
Inside Shelter Supply	<i>Note- have included separate bulk storage bldg.</i>	1	12	x	14	=	168	1.35	=	227		
Euthanasia		1	10	x	12	=	120	1.35	=	162		
Bulk Supply Building +												
Food Bank		1	30	x	40	=	1,200	1.00	=		1,200	

Figure 8.2: Square footage recommendations for proposed new Pet Resource Center campus

The combined Open Door Clinic will serve the community in two main ways. The clinic will enhance access to veterinary care through a financially sustainable/profitable business model that enhances access to care. A high-volume, subsidized spay/neuter program will help reduce shelter intake.

The Pet Resource Center campus will serve the community by providing for public and animal safety, social services programs providing a safety net for pet owners, care, and placement of shelter pets, euthanasia when appropriate, along with enhancing access to veterinary care for the public.

9 Drive Time Analysis/Future Site Recommendations

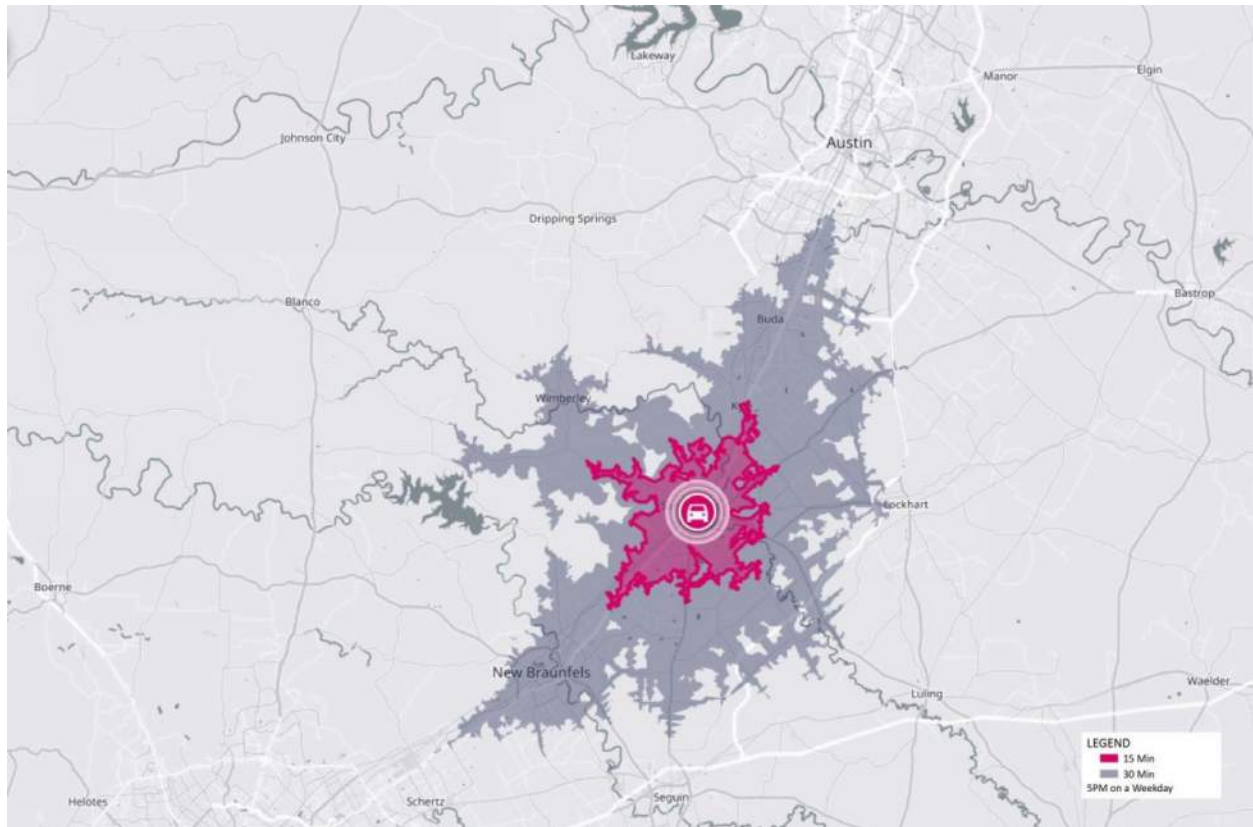


Figure 9.1: Map of drive times within Hays County

The map above indicates drive times from San Marcos to various points of the county at 5 PM on an average weekday. This analysis was used to show that San Marcos and Buda are reachable within 30 minutes, and San Marcos and Kyle are reachable within 15 minutes. It would be ideal if the new facility were accessible from San Marcos and Kyle due to the statistics and demographics analyses.

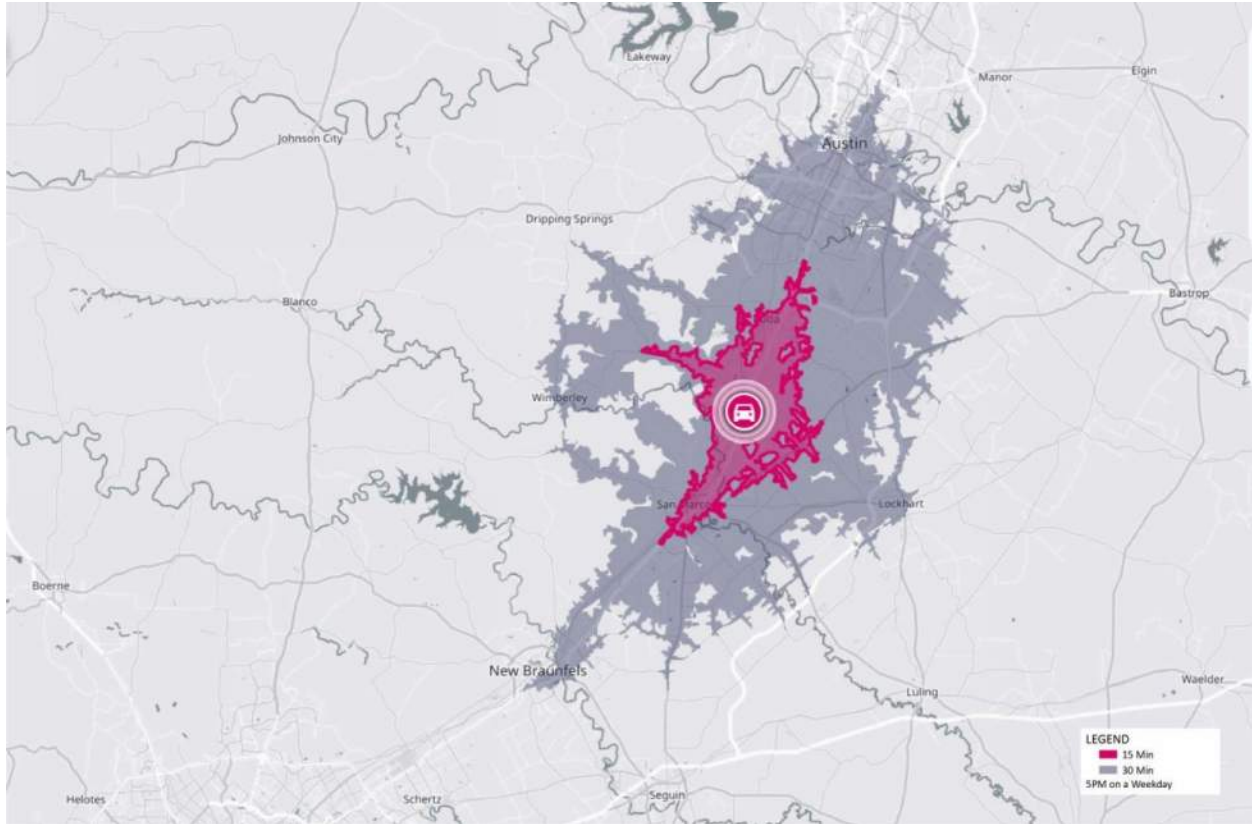


Figure 9.2: Map of drive times within Hays County

The map above illustrates drive times from Kyle at 5 PM on a weekday. Within 15 minutes, a large portion of I-35 can be reached spanning from Buda to San Marcos. Furthermore, the area of Dripping Springs can be reached in a little over 30 minutes. A new facility located in this area, somewhere west of Kyle and north of San Marcos, would achieve the goal of being easily accessible within 15 minutes from San Marcos, Buda, and Kyle.

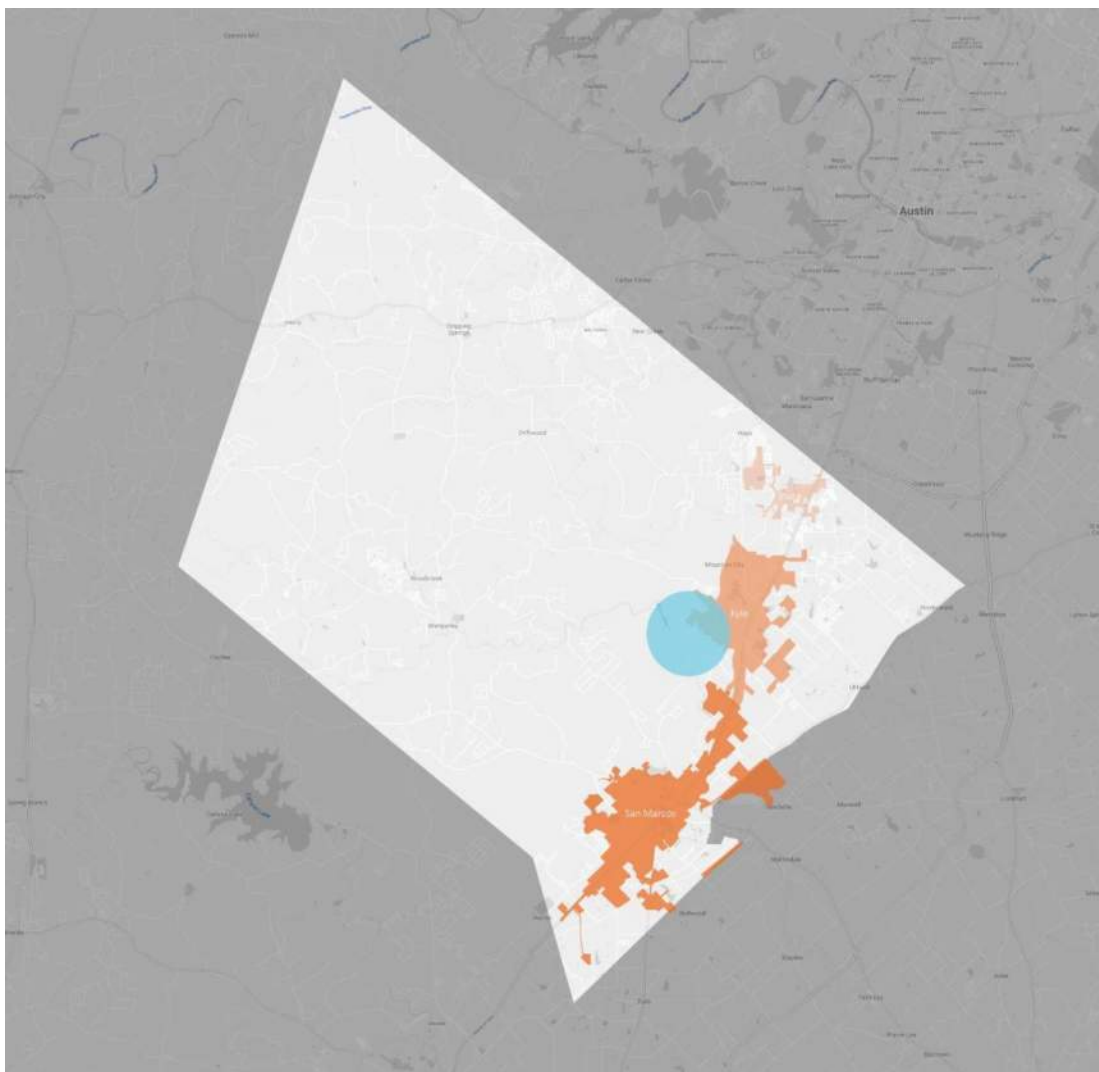


Figure 9.3: Map highlighting Hays County and approximate location of potential new facility

The blue circle represents a proposed location area for the new campus, west of Kyle and north of San Marcos, so that all members of the community have reasonable access. This location keeps in mind the existing population, projected population, existing land use, and demographics of Hays County.

Below are some recommended qualities of a new site for the Hays County Pet Resource Center campus:

- Ability to hold 27,762 SF of programmatic elements.
- The usable size of the site should be five times larger than the size of the building, or around 3.2 acres minimum. Three to five usable acres would be a good target for initial land searches. The larger size will allow for flexibility and the potential for future expansion. When we define usable acres, we mean:
 - Not chopped up or restricted by easements and setbacks.
 - Not in flood plains or zones.
- Not used for hazardous industrial uses previously.
- Collocated to other Hays County public-facing, social service functions. There is tremendous potential in providing exceptional service to the community by placing human social service

functions on the same site.

- In a safe area easily accessible from San Marcos, Buda, and Kyle.
- Proper zoning designation and/or ability to rezone or achieve special use permits.
- City utilities are available, including water, sewer, and three-phase power.
- In an area that allows outdoor uses for dogs (i.e., not immediately adjacent to residential use).

10 New Facility Budget Recommendations

Enclosed in this section is the probable costs for the new Hays County Pet Resource Center campus based on the costs of other animal shelters nationwide, adjusted for inflation and location factor (central Texas, not including Austin). The hard costs of the project cover site development and the construction of buildings. They do not include acquisition of land or bringing utilities to a project site, or unusually difficult soil conditions. It is assumed the buildings will be one story.

The soft cost category includes Furnishings, Fixtures, and Equipment (F,F, and E). This category encompasses all loose equipment and some fixed equipment such as animal caging and runs. It also includes furniture and computer hardware and software. It is a more significant percentage of a project total than it would be if we were constructing another type of building. Animal shelters, like healthcare facilities, are equipment intensive.

New Facility Budget:

Budget					
Open door + High Volume Clinic:	4,063	\$465	per s.f.	=	\$1,929,996
Pet Resource Center Interior	17,749	\$550	per s.f.	=	\$9,761,923
Pet Resource Center Exterior Covered	5,950	\$350	per s.f.	=	\$2,082,500
Site Improvements:				=	\$2,500,000
					\$16,274,419
Pricing Contingency	10%			=	\$1,627,442
					\$17,901,861
					Hard Costs
Professional (A&E)	11%				\$1,969,205
Owner's Contingency	5%				\$895,093
Equipment & Furnishings	14%				\$2,506,260
Permitting/Fees	0.5%				\$89,509
					\$5,460,067
					Soft Costs
					\$23,361,928
					Total Recommended in 2022 Dollars ***

*** Note: Based on the project timeframe, 6% per year escalation should be added.

Budget Considerations

Below are some reasons why animal shelters are more expensive than other types of projects.

Designing for Sanitation

Shelters must provide a clean and sanitary environment for the health of animals. Unlike human hospitals where patients are protected by footwear, animals are in direct contact with the floors and walls of housing and circulation spaces. Sanitation systems are expensive because they involve skilled trades and significant infrastructure. A well-designed shelter has:

- Floor drains in every animal housing enclosure, as well as in the aisles outside the enclosures
- Thickened concrete slabs to incorporate drainage systems
- Hoses and disinfectant mixing stations throughout housing areas
- Waterproof floor and wall systems. This is extremely important to prevent degradation of finishes and to extend the lifespan of the shelter.
- Commercial-grade dishwashers for sanitizing bowls and equipment
- Commercial-grade washing machines for sanitizing laundry
- Sag-resistant ceilings to withstand humid conditions during cleaning
- Doors and interior window openings that are durable enough to be cleaned with water and disinfected

Designing for Healthy Air

Just as floors, walls, and equipment must be sanitary, the air that the animals breathe must be clean and free of pathogens and odors. Odors are indicative of unhealthy air quality, and so animal shelters are typically designed to prevent noticeable odor in the air. An odor-free environment also creates a more positive experience for visitors and staff. Animal shelters employ these strategies to maintain healthy and odor-free environments:

- Enhanced air changes
- Greater dilution with outside air
- Air pressurization strategies to prevent contaminated air from flowing through the shelter from one space to another
- Energy recovery strategies to recover the energy lost by moving more air
- Greater levels of filtration to catch dust and animal hair

Designing for Lighting and Power

Buildings such as shelters that have larger mechanical systems also need more electrical capacity to run these systems. Shelters contain equipment such as commercial laundry equipment that require dedicated power. Shelters must be lit brightly and evenly for good cleaning, the safety of the animals and staff, and to promote adoptions. Given current energy codes, shelters must be designed with highly efficient lighting systems to afford the illumination levels that are needed. This equates to more expensive lighting selections.

Durability and Use

The only building type that receives more daily, difficult use than an animal shelter is a correctional facility. Unlike schools, shelters are used 24 hours per day by the animals and unlike human hospitals, shelters are cleaned with a hose and water. Shelters are used daily by staff, volunteers, the public, and animals, and therefore they must be durable enough to withstand the unpredictable use patterns of this combined group. To last for years, shelters typically have:

- Specialized doors and hardware
- Wall protection to prevent damage from carts and leashes
- Tempered glass in interior openings to prevent breakage
- Flooring that holds up to cart traffic and dog claws
- Higher performance paints and finishes for easy cleaning

Importance of Well-Built Pet Resource Centers

Sheltering organizations do not have many opportunities to build buildings. Therefore, shelters should be designed to protect important investments and to maintain functional, efficient, and healthy operations for decades to come. Good shelter buildings may cost more money in the short term, but they reduce long-term operational expenses. A great shelter building supports the work that staff and volunteers do to provide humane and compassionate care for the pets, to control disease, and to keep the public safe.

Operational Budget Examples

As per the Texas Animal Control Association, it is becoming more common for municipal Texas shelters to attempt to outsource operations to non-profit organizations, but many are having difficulty finding a willing partner. This is likely due to the fact that municipal budgets have traditionally not included appropriate proactive or lifesaving programs.

Municipal procurement systems, while including important checks and balances, can be unnecessarily cumbersome and lead to higher operational costs. Hays County leadership should at least attempt to outsource the operation and clinic to a non-profit entity.

There are several avenues to drive down operational costs. Special shelter pricing is available through cooperatives like Shelters United for non-profit organizations. The importance of a volunteer program cannot be overstated as there are endless ways that a volunteer force can raise funding, subsidize staff and oversee programs with potential to dramatically reduce the cost to operate.

The proposed budget is for the overall Pet Resource Center operation and field services for unincorporated Hays County only. The results of negotiations between the COSM and Kyle and Buda and Hays County and Kyle and Buda, will dictate if those cities are added to the geographic footprint or not and the cost of the Interlocal Cooperative Agreement for each.

<i>Pet Resource Center</i>	<i>HR</i>	<i>#</i>	<i>Total without Benefits</i>	<i>Benefits @ 30%</i>	<i>Total with Benefits</i>	<i>Total without benefits for team</i>	<i>Total with benefits amount of team</i>
Pet Resource Center	\$13.00	5	\$27,040	\$8,112	\$35,152	\$135,200	\$175,760
ACT's	\$13.00	8	\$27,040	\$8,112	\$35,152	\$216,320	\$281,216
Counselor	\$15.00	16	\$31,200	\$9,360	\$40,560	\$499,200	\$648,960
Animal Peace Officer/SafetyNet Officer	\$15.00	10	\$31,200	\$9,360	\$40,560	\$312,000	\$405,600
Coordinator	\$19.00	9	\$39,520	\$11,856	\$51,376	\$355,680	\$462,384
Administrative Assistant	\$13.00	1	\$27,040	\$8,112	\$35,152	\$27,040	\$35,152
Veterinary Assistant	\$13.00	3	\$27,040	\$8,112	\$35,152	\$81,120	\$243,360.00
Veterinary Technicians	\$17.00	6	\$35,360	\$10,608	\$45,968	\$212,160	\$275,808
Veterinarian	\$48.00	1	\$99,840	\$29,952	\$129,792	\$99,840	\$129,792
Manager of Administration	\$36.00	1	\$74,880	\$22,464	\$97,344	\$74,880	\$97,344
Chief Veterinarian	\$60.00	1	\$124,800	\$37,440	\$162,240	\$124,800	\$162,240
Manager	\$30.00	2	\$62,400	\$18,720	\$81,120	\$192,800	\$162,240
Finance Assistant	\$17.00	1	\$35,360	\$10,608	\$45,968	\$35,360	\$45,968
Facilities	\$15.00	1	\$31,200	\$9,360	\$40,560	\$31,200	\$40,560
Admin, IT, PP	\$17.00	1	\$35,360	\$10,608	\$45,968	\$35,360	\$45,968
Director, Animal Services	\$62.50	1	\$130,000	\$39,000	\$169,000	\$130,000	\$169,000
Total Annual Cost:						\$2,562,960	\$3,381,352

Open Door Clinic*	<i>HR</i>	<i>#</i>	<i>Total without Benefits</i>	<i>Benefits at 30%</i>	<i>Total with Benefits</i>	<i>Total without benefits for team</i>	<i>Total with benefits amount of team</i>
Veterinarian	\$48.00	1	\$99,840	\$29,952	\$129,792	\$99,840	\$129,792
Customer Service	\$15.00	2	\$31,200	\$9,360	\$40,560	\$61,400	\$81,120
Administrative Assistant	\$13.00	1	\$27,040	\$8,112	\$35,152	\$27,040	\$35,152
Veterinary Technicians	\$17.00	3	\$35,360	\$10,608	\$45,968	\$106,080	\$137,904
Veterinary Assistant	\$13.00	1	\$27,040	\$8,112	\$35,152	\$27,040	\$35,152
Total Annual Cost:							\$419,120

Spay/Neuter Program	<i>HR</i>	<i>#</i>	<i>Total without Benefits</i>	<i>Benefits at 30%</i>	<i>Total with Benefits</i>	<i>Total without benefits for team</i>	<i>Total with benefits amount of team</i>
Veterinarian	\$48.00	1	\$99,840	\$29,952	\$129,792	\$99,840	\$129,792
Customer Service	\$15.00	2	\$31,200	\$9,360	\$40,560	\$62,400	\$81,120
Administrative Assistant	\$13.00	1	\$27,040	\$8,112	\$35,152	\$27,040	\$35,152
Veterinary Technicians	\$17.00	4	\$35,360	\$10,608	\$45,968	\$141,440	\$183,872
Veterinary Assistant	\$13.00	2	\$27,040	\$8,112	\$35,152	\$54,080	\$70,304
Total Annual Cost:							\$500,240

Figure 10.1: HR=hourly rate, #=number of full-time equivalent staff. *The Open Door model would generate a net positive revenue while The Pet Resource Center and spay/neuter program will not.

11 Table of Organization and Staffing Recommendations

Pet Resource Center Table of Organization

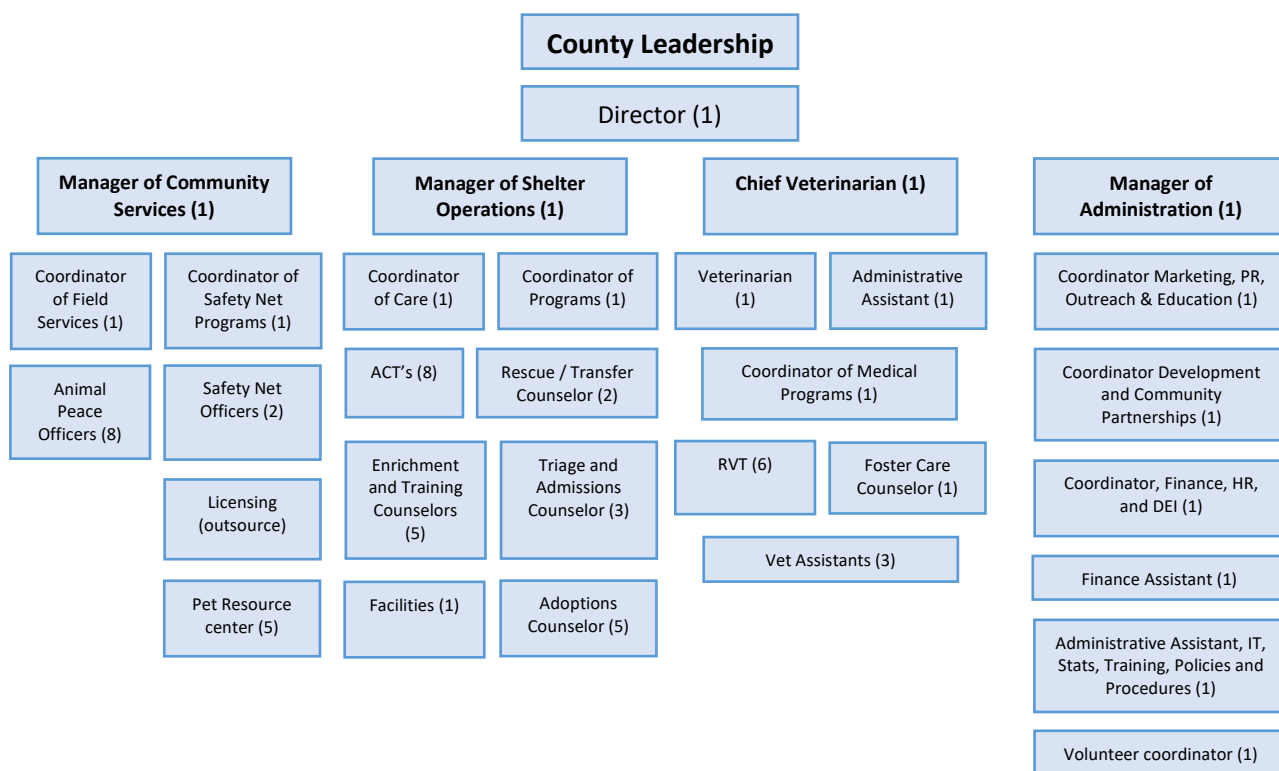


Figure 11.1: The Table of Organization for the Pet Resource Center is divided into four functional areas; community services, shelter operations, medical care for shelter pets, and administration. It is strongly recommended that the same agency responsible for field services, also be responsible for the shelter operation. Numbers in parenthesis are initial recommendations for staffing numbers.

Department of Community Services (Field Services and Discretionary Enforcement)

The Department of Community Services is responsible for external and field related programs. They communicate with the public by providing support and organizational resources to assist with community-based, responsible pet owner needs and to protect pets and people in the community. They focus on animal rescue, enforcement of laws, and community outreach and education. The following is a list of tasks that the department would be responsible for:

- Animal cruelty investigation
- Animal bite investigation and management
- Stray-at-large education, outreach, and rescue of injured animals
- Coordination of case animals (abandonment, cruelty, police, marshall, code, emergency)
- Additional requirements as spelled out by ordinance/contract (noise ordinance, aggressive/nuisance animal ordinance, dead animal pick-up, licensing, etc.)
- Disaster program
- Liaison to city/county personnel in the field (police, fire, code enforcement, homeless advocates, etc.)
- Code enforcement compliance and investigation (hoarders, pet stores, kennels, etc.)

- Community education with an emphasis on lost and found in the field and safety net options in the community. Identify community hotspots and coordinate with the team for services and outreach including community cat programs
- Assist with transports to offsite adoption locations, transfers, and public animals for services and TNR
- Manage vehicle fleet
- Manage Pet Resource Center including telephone and in-person community assistance
- Management of community cat program
- Licensing (recommend outsourcing task)
- Data entry and record keeping for any pets transported while in the field
- Note: Dealing with livestock and farm animals was outside the scope of this RFP. However, the field services team should be trained to handle, trap, or transport wildlife to a rehabilitation facility and to euthanize if critical.

Additional considerations (not part of the operational budget calculations):

- Field Services should operate Monday-Friday, 8am-5pm. Two shifts may be considered; one shift from 7am-4pm and a second shift 12pm-8pm. One to two officers should be on call each night for emergencies as needed.
- An after-hours call center and emergency veterinary clinic (or on-call veterinarian) would be needed for evenings and overnight.
- The budget should include a minimum of 10 to 13 vehicles with allocations for purchasing, wrapping, insurance, repairs, gas, and a vehicle replacement plan. This includes field services vehicles, one to two transport/outreach vans, one pickup truck, one staff car and one spay/neuter/wellness transport van. A forklift for warehouse/storage items and a disaster relief vehicle should also be considered.
- Every vehicle/officer should have the following equipment;
 - Disaster bag
 - Catch pole
 - Cat boxes
 - Cat net
 - Towels
 - Leashes
 - Snake tongs
 - Pet food/treats
 - Basic emergency medical care supplies
 - Community box with give aways (food, leashes, collars, education materials)
 - Tools
 - Tablet and docking station for tablet
 - Printer
 - Cell phone
 - Microchip scanner
 - Radio
 - Access to dog/cat traps
 - Access to euthanasia and tranquilizer drugs and materials
 - Uniforms, batons/pepper spray

Education/training/certification with the Texas Animal Control Association, National Animal Control Association, Texas Humane Legislation Network, Humane Society of the United States, etc., including but not limited to the following areas:

- Customer Service
- Local and state laws
- Investigations that include report writing, documentation, preparation for court presentations
- Safe, Fear Free animal handling
- FEMA disaster training
- Emergency rescue
- Euthanasia

Organization of staff in Department of Community Services

Manager of Community Services (1)	<ul style="list-style-type: none"> • Manage and oversee all administrative areas to include budget of Community Services section, human resources, policies and procedures, customer communications, statistics, reports, etc., and departmental programs
Coordinator of Safety Net (1)	<ul style="list-style-type: none"> • Oversee call center community services safety net, outreach, and education programs • Support administrative functions, review reports and data entry, purchasing, assist with fleet, etc. • Manage field related training programs • Oversee disaster plans and response • Manage community services volunteers • Liaison to shelter departments for pet release dates • Oversee community cat programs
Safety Net Officers (2)	<ul style="list-style-type: none"> • Responsible for outreach programs and assist members of the public, field support, and special projects as assigned
Pet Resource Center (5)	<ul style="list-style-type: none"> • Answer service calls, dispatch and organize Animal Peace Officer response, communicate with members of the public • Data entry • Provide education, support and referrals to pet owners in need in order to keep or place their pet through supportive self-rehoming
Coordinator of Field Services (1)	<ul style="list-style-type: none"> • Shift management. Oversight of day-to-day officers' tasks

	<ul style="list-style-type: none"> • Act as field training officer, respond to field activities when a supervisor is needed, coordinate daily calls, review cases, and respond
Animal Peace Officer (8)	<ul style="list-style-type: none"> • Respond to constituent calls, animal rescues, enforce ordinances, community education and outreach, field lost and found, and transports

Figure 11.2: Organization of staff in Department of Community Services

Department of Operations

The Department of Shelter Operations is responsible for caring for shelter pets in a Fear Free Shelter environment and customer support. Goals include the following:

- Ensure the 5 Freedoms for all shelter pets
- The shortest length of stay at the shelter to the best, most appropriate outcome
- Placing pets through adoption, transfer, and foster care

In summary, the operations team would be responsible for:

- Basic care, cleaning, and feeding
- Inventory control and movement of pets throughout the shelter process
- Enrichment, exercise, and playgroups for dogs
- Communicating with the public on intake diversion in partnership with the community services department, adoption, and foster care
- Identifying animals for transport and facilitate their movement, liaison with transfer/rescue partners
- Data entry and programmatic statistics/trends
- Taking payments and managing intake and placement paperwork
- Social media posts
- Manage community-based lost and found programs and assist with reunification
- Manage supply warehouse
- Manage facility needs and repairs

Organization of staff in Department of Operations

Manager of Shelter Operations (1)	<ul style="list-style-type: none"> • Manage and oversee all administrative tasks that include budget for the section, human resources, policies and procedures, customer communications, statistics, reports, and departmental programs
Coordinator of Care (1)	<ul style="list-style-type: none"> • Shift management of all animal care technicians and activities, act as training officer, respond to animal care activities when a supervisor is needed, coordinate daily assignments, perform animal care duties as needed • Oversee all animal care and enrichment team members

Animal Care Technician (8)	<ul style="list-style-type: none"> • Responsible for animal care, feeding, handling, and cleaning • Communicate with customers regarding animal care programs
Enrichment and Training Counselor (5)	<ul style="list-style-type: none"> • Ensure animal exercise programs including walks and playgroups • Provide animal enrichment programs • Provide modification programs • Communicate with the public on animal care and training issues • Offer public support and programs.
Coordinator of Programs (1)	<ul style="list-style-type: none"> • Manage and oversee prevention and placement programs and staff including triage/admissions, transfer, and adoptions • Create programs and identify and manage resources for public needs
Rescue/Transfer Team Counselor (1)	<ul style="list-style-type: none"> • Communicate with adoption partner groups regarding animals that need to be transferred • Organize paperwork, database, and animals for transfer
Triage/Admissions Counselor (3)	<ul style="list-style-type: none"> • Communicate with members of the public regarding stray and owner surrender intake • Provide resources and support to encourage foster finder • Assist members for the public with intake appointment and process • Assist with lost and found program
Adoption Counselor (5)	<ul style="list-style-type: none"> • Assist members of the public with pet matches • Take pictures, videos, and post on social media and in the community to promote animals for adoption

Figure 11.3: Organization of staff in Department of Operations

Department of Medical Programs

The Department of Medical Programs is responsible for physical exams, diagnosis (or differential diagnosis), treatment, medical care, and surgery for shelter pets. Surgery includes high-volume spay/neuter, dentals and other surgeries based on the surgeon's skill level.

In summary, the medical team would be responsible for:

- Physical exams, preventive care, microchips and treatment
- Daily monitoring of pets in the shelter to ensure their physical and mental health and well-being
- Address community services department medical emergencies
- Administer department rabies control program including release of pets after bite quarantine, community exemptions allowed by law
- Animal Cruelty medical exams and court reporting
- Perform emergency procedures when needed for shelter pets
- Ensure accurate medical records and drug logs
- Communicate with pet owners
- Communicate with foster volunteers
- Perform high-volume spay/neuter and other surgeries as needed

Supplies for this team should include:

- Medical equipment
- Medications and veterinary supplies
- Leashes and animal handling, and transport equipment
- Bedding
- Pharmaceuticals and supplies including anesthesia
- Computers, tablets, printers, telephones
- Radios
- Cleaning solutions with automatic dispensers and dilution
- Staff uniforms
- Cat boxes and dens
- Food and bowls for shelter animals

Education/training/certification on the following:

- Basic animal behavior and behaviors in response to stress
- Safe and humane animal handling
- Fear Free and enrichment
- Customer service
- Veterinary and registered veterinary technician (RVT) certifications

Organization of staff in Department of Medical Programs

Chief Veterinarian (1)	<ul style="list-style-type: none"> • Manage and oversee all administrative (budget, human resources, policies and procedures, customer communications, statistics, reports, etc.) and departmental programs and staff • Provide certification for shelter licensure • Oversee purchase of pharmaceuticals and drug logs • Write departmental policies and procedures • Oversee public records for community rabies exceptions • Communicate with local veterinarians and members of the public • Perform medical exams, treatments, and surgery
Veterinarian	<ul style="list-style-type: none"> • Perform medical exams, recommends diagnostics when necessary and prescribes treatments • Perform a variety of basic surgeries including high volume spay/neuter • Perform medical rounds
Administrative Assistant (1)	<ul style="list-style-type: none"> • Assist with all administrative functions • Communicate with the public
Coordinator of Medical Programs (1)	<ul style="list-style-type: none"> • Shift management of all RVT and technicians and activities, act as training officer, respond to medical care activities when a supervisor is needed, coordinate daily assignments, perform animal care duties as needed
Registered Veterinary Technician (6)	<ul style="list-style-type: none"> • Perform exams • Administer treatments under the permission of the veterinarian • Assist with surgery • Communicate to the public • Provide basic animal Care
Vet Assistant (3)	<ul style="list-style-type: none"> • Perform basic animal care including feeding and cleaning
Foster Care Counselor (1)	<ul style="list-style-type: none"> • Identify animals that need foster • Identify, train and communicate with foster volunteers • Assist with medical follow ups for foster animals

Figure 11.4: Organization of staff in Department of Medical Programs

Department of Administration

The Department of Administration is responsible for all administrative aspects of the program including human resources, finance, marketing and public relations, fundraising, technology, purchasing and volunteers.

The goal is to ensure the following:

- To ensure the fiscal, human relations, and capital health of the organization
- To perform outreach to ensure a high volume of community engagement

The following is a task list on what the department of shelter operations will be responsible for:

- All human resource functions
- Accounts payable and receivable
- Purchasing
- IT support
- Training, statistics and coordination of policies and procedures
- Marketing and PR
- Outreach and education
- Development and community partnerships
- Volunteer recruitment, training, coordinating, and retention

Supplies for the department include:

- Office supplies, larger printer
- Computer equipment and financial/human resources software

Organization of staff in Department of Administration

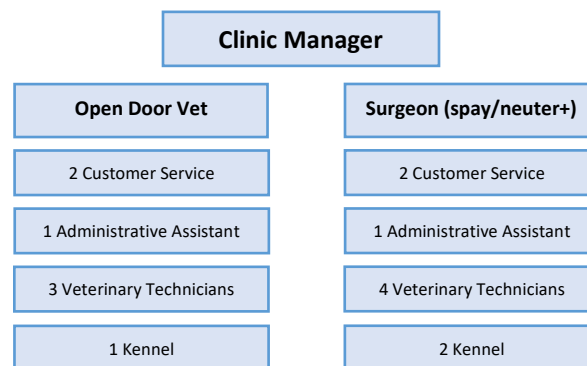
Manager of Administration (1)	<ul style="list-style-type: none">• Manage and oversee all administrative (budget, HR, policies and procedures, customer communications, statistics, reports, etc.) and departmental programs and staff
Coordinator of PR and Marketing (1)	<ul style="list-style-type: none">• Manage and oversee all fundraising programs, including sponsorships, direct mail, individual and major giving, events, grants, and planned giving
Coordinator of Development and Community Partnerships (1)	<ul style="list-style-type: none">• Manage and oversee all fundraising programs, including sponsorships, direct mail, individual and major giving, events, grants, and planned giving
Coordinator of Finance, Human Resources and Diversity/Equity/Inclusion (2)	<ul style="list-style-type: none">• S Manage and oversee all finance and human resource programs including payroll, employee relations, insurance, hiring/firing, accounts payable and receivable, development of financial statements, budget development and purchasing• Develop policy and procedures for cash handling and other financial programs

Finance Assistant	<ul style="list-style-type: none"> Assist with accounts payable, receivable and purchasing
Coordinator of Volunteers	<ul style="list-style-type: none"> Manage and oversee all volunteer programs including recruitment, training, on-boarding, management, and retention of volunteers
Administration Assistant	<ul style="list-style-type: none"> Assists with all administrative functions including IT, training, development of policies and procedures, and data entry

Figure 11.5: Organization of staff in Department of Administration

Recommendations for the San Marcos Regional Animal Shelter	
-	Focus on finishing and updating written standard operating procedures.
-	Develop an onboard training program for staff and volunteers that includes the requirement for Fear Free Sheltering certification.

Open Door Clinic Table of Organization



The Open Door model that generates a net profit, could be applied to a one, two, or three-doctor practice for operation Monday through Friday during the day with no overnight emergency services and could be operated by a non-profit or for-profit entity. For a one-doctor, Open Door model clinic a 5 to 7 percent net profit can be expected and for a three-doctor practice, a 15 to 20 percent net profit.

This Table of Organization includes the clinic staff and a subsidized spay/neuter program for owned pets and community cats. Note that if the Pet Resource Center and Open Door Clinic were managed by the same entity, the Pet Resource Center staff could cross over and be cross trained; however, the budgets for each should be tracked separately. The net profit projections above do not apply for the spay/neuter clinic program as that would be heavily subsidized. Cross-over surgeries could be pyometras (infections in the uterus), for example, that could be done by the spay/neuter team since that surgery would only require a spay with medical support.

There are endless variations in staffing recommendations depending on the services provided, the number of days the clinic is operational, and how many veterinarians are hired. The following example for a Table of Organization is a starting point for an Open Door model clinic to be open five days a week and the spay/neuter clinic to be open five days a week with one doctor each. Typically, three technicians (or two technicians and one technician assistant) are needed per veterinarian whether for the Open Door clinic or spay/neuter support. Again, it must be noted that the Open Door clinic will generate a net profit when designed correctly but the subsidized spay/neuter program will not.

12 Final Recommendations

Hays County leadership will best serve the community by creating a campus in the Kyle/Buda area just north of San Marcos that includes a Pet Resource Center with the focus on a community-foster-centric model and proactive self-services and an Open Door access to care clinic that includes a subsidized spay/neuter program. Since the population served is skewed towards those who are socioeconomically disadvantaged, social services for people on the same campus would be advantageous. Outsourcing all services to a non-profit (or to a for-profit for the Open Door clinic which can be operated by either) is recommended.

Advantages:

- This type of campus, including social services for people, would be a national model and first of its kind.
- One campus closest to the urban population that is most dense with the highest poverty rate.
- One team of employees and volunteers as opposed to additional teams in a second location.
- More efficient way to address social services.
- Transport for services from other areas like Dripping Springs is more cost effective than building a second facility.
- Would address the serious access to veterinary care issue in Hays County.
- Would address the capacity for subsidized spay/neuter of target groups such as community cats that would drive intake down.
- Outsourcing to a non-profit entity eliminates the unnecessarily cumbersome municipal processes.
- Could stage the building of The Pet Resource Center and clinic programs by creating mutually beneficial partnerships with local veterinarians.
- One building for the Open Door clinic and the spay/neuter program would save on capital costs for separate buildings and access to veterinary care has eclipsed the need for spay/neuter.

Disadvantages:

- If the operation is not funded appropriately by the municipality, Hays County will not be able to secure a partnership with a non-profit.
- Local veterinarians and the veterinary industry, in general, are struggling with capacity and staffing, so robust programs to meet the needs through the private practice sector would be challenging.

Building multiple sites in areas like Dripping Springs, is not a financially feasible option as the capital costs would be substantial. Services, and therefore staffing, the most significant part of the budget, would be increased, when a single campus with appropriate transport programs would be much more cost effective.

13 Next Steps

The project outlined for Hays County is both ambitious and appropriate in scope to meet the needs for supporting animal services in this rapidly growing county. The San Marcos Regional Animal Shelter is unable to serve the scope of the Hays County area, and the advocates understand the need for a new facility. The new facility will marry the idea of animal care and social care, which will better serve the community, and will address the root causes of animal homelessness and lack of access to resources.

As Hays County moves forward with the project, one concern to address is the rapid increase in costs for projects, and the uncertainty that the recent market has created for project costing. To mitigate these concerns, it is recommended that Hays County considers proceeding with initial design services for the new animal shelter to develop additional and more detailed cost estimates. Below are the recommended next steps:

- Gain county approval
- Solidify ballpark budget allocation
- Select a project site with the assistance of Animal Arts
- Proceed with schematic design

Once a schematic design is developed it will be simpler to do a comprehensive cost review and potentially fine tune the design of the new facilities to see if the program goals outlined in this report can be improved upon. Our experience, based on hundreds of projects, would indicate that the budget included in this report is appropriate, but a schematic design will allow the county to evaluate the budget and validate it further prior to proceeding to construction drawings and bidding.

14 Timeline

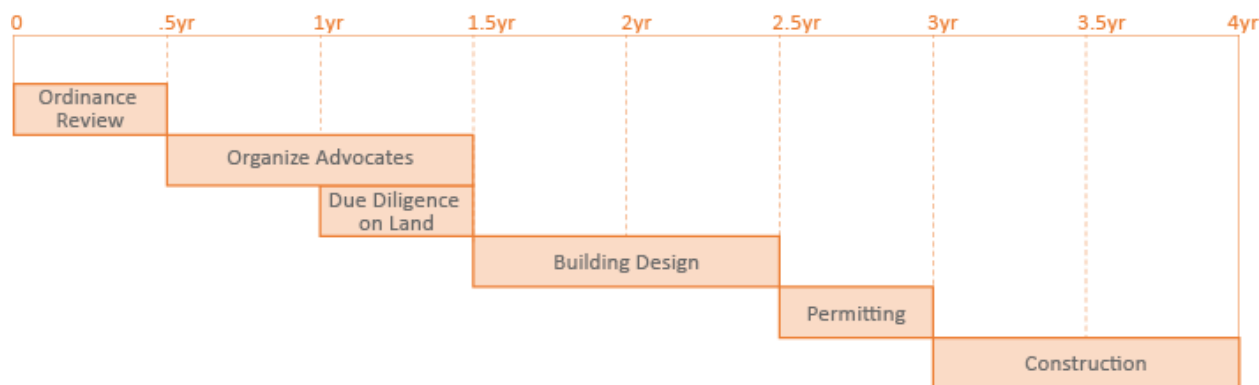


Figure 14.1: Above is the proposed timeline for the Pet Resource Center and Open Door Clinic for Hays County.

In Gratitude

Team Shelter USA and Animal Arts are deeply honored to have been selected to complete this feasibility study and welcome all questions, concerns, and feedback to address the many variables within this scope of work.

15 Attachments

Attachment A: Hays County Ordinance Redline Recommendation

~~SIXTH-SEVENTH~~ AMENDED

HAYS COUNTY ANIMAL CONTROL ORDINANCE

NO. ~~32190-~~

This ~~Sixth-Seventh~~ Amended Hays County Animal Control Ordinance is made this the ~~24th~~ day of ~~January~~, ~~2017~~2020, by the Hays County Commissioners Court, which, having duly considered the need for immediate modification of the existing Animal Control Ordinance, adopts this ~~Sixth-Seventh~~ Amended Animal Control Ordinance effective upon passage by a majority vote.

AN ORDINANCE OF THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, TO ESTABLISH A RABIES CONTROL PROGRAM, ~~TO ESTABLISH A TRAP-NEUTER-RETURN-AND-BARN-CAT PROGRAMS, AND UPDATE CONTENT IN LINE WITH NATIONAL BEST PRACTICE STANDARDS,~~ DESIGNATE A LOCAL ANIMAL CONTROL AUTHORITY, REQUIRE THE LICENSING AND RESTRAINT OF CERTAIN ANIMALS, MANDATE THE IDENTIFICATION OF LIVESTOCK, REGULATE DANGEROUS DOGS AND OTHER DANGEROUS ANIMALS, DECLARE A PUBLIC NUISANCE AND PROVIDE PENALTIES PURSUANT TO CHAPTERS 822 AND 826 OF THE TEXAS HEALTH & SAFETY CODE, CHAPTER 802 OF THE TEXAS OCCUPATIONAL CODE AND CHAPTERS 142-144 OF THE TEXAS AGRICULTURAL CODES.

WHEREAS, the Commissioners Court of Hays County is authorized by Chapter 822 of the Texas Health & Safety Code to enact a local ordinance to regulate the registration and restraint of animals; and

WHEREAS, the Commissioners Court of Hays County is authorized by Chapter 826 of the Texas Health & Safety Code to enact a local ordinance to require rabies vaccinations and other measures as a means to prevent the dangerous spread of rabies; and

WHEREAS, the Commissioners Court of Hays County is authorized by Chapter 142, 143 and 144 of the Texas Agricultural Code to enact a local ordinance to prohibit livestock from running at large, mandate livestock be marked or branded; and

WHEREAS, the Commissioners Court of Hays County is authorized by Chapter 802.003 (b) of the Texas Occupational Code to better regulate licensed breeders; and

WHEREAS, it is the intent of the Commissioners Court to enact this Animal Control Ordinance in an effort to protect the public health and safety of Hays County residents and encourage the humane treatment of animals; NOW, THEREFORE, BE IT ORDERED BY THE COMMISSIONERS COURT OF HAYS COUNTY, TEXAS, THAT: The following provisions were adopted the ~~24th~~ day of ~~January~~, ~~2017~~2020.

SECTION 1. INTENT AND AUTHORITY

Section 1.1. Authority. These regulations are adopted by the Commissioners Court of Hays County, Texas, acting in its capacity as the governing body of Hays County, Texas as authorized by Chapters 822 and 826 of the Texas Health & Safety Code, Chapter 802 of the Texas Occupations Code and Chapters 142-144 of the Texas Agricultural Codes.

Section 1.2. Intent. It is the intent of the Commissioners Court of Hays County, Texas, to enact this ordinance in order to protect the public health and safety of the citizens of Hays County and the Commissioners Court hereby declares that this ordinance is necessary for the immediate preservation of the public peace, health and safety. This ordinance is further intended to encourage the humane treatment of animals and prevent cruelty to animals.

Section 1.3. Strict Liability. Unless otherwise indicated, any person who violates a section of this ordinance shall be strictly liable for such violation and shall be subject to the penalties herein established.

Section 1.4. Municipal Ordinances to Supersede. This ordinance shall not prevent a corporate municipality within the county from establishing any rules and regulations to control animals within its corporate limits. Any such ordinance established by said corporate municipalities shall supersede this ordinance thereby preventing dual enforcement. In such cases, this ordinance will not be enforced within the corporate limits of any municipality.

SECTION 2. **DEFINITIONS**

As used in this ordinance, the following words and phrases shall have the following meanings:

Section 2.1. Animal Control Officer. Any person designated by the Hays County Sheriff (Animal Control Officer/Deputy) to perform the duties outlined in this ordinance.

Section 2.2. Animal Owner. Any person who owns, keeps, or has custody or control of an animal. ~~This does not include a Community Cat or Community Cat.~~

Section 2.3 Animal Welfare Groups. Any organizations, businesses or persons that is focused and advocates on the wellbeing and standard of care of animals. In addition, such groups may focus on abandoned, neglected, unclaimed and surrendered dogs, puppies and cats. This is to also cover any unorganized efforts by persons to accomplish the same regardless to their official capacity or connection to a formal animal welfare group.

~~Section 2.4 Community Cat Management and Programs~~
Section 2.4. Barn Cat. A feral cat who ends up at a shelter and cannot be returned to their outdoor home or adopted into a traditional pet home. They are spayed/neutered, vaccinated, and microchipped.

Section 2.64. Bite. Any puncturing, tearing, or scratching of the skin caused by an animal's teeth or claws.

Section 2.75. Boarding Facility. Any business, facility or operation that takes in any animals, regardless of species, for the purpose of long term or short term temporary housing of the animal for compensation or consideration.

Section 2.86. Licensed Breeder. Any person or business that breeds domesticated animals, or wild animals for conservation or the pet trade, who holds a license issued under Texas Occupation Code Chapter 802 or owns an adult intact female animal and is engaged in the business of breeding animals for direct or indirect sale of offspring of the animal or for exchange in return for consideration.

Section 2.97. Cat. ~~Felis Catus.~~ A member of the domestic species Felis Catus.

Section 2.10. Colony. A group of cats living outdoors together.

Section 2.11X. Community Cat. Any free-roaming cat that may be cared for by one or more residents of the immediate area whose owner is/are known or unknown; a community cat may or may not be socialized. Community cats who are ear tipped are sterilized and have received at least one vaccination against rabies. Community cats are exempt from any licensing, stray, abandonment and at-large provisions directed towards owned animals. A community cat may also be defined as a cat 'found' outside that is brought to an animal shelter and not yet sterilized/ear tipped. A stray or free-roaming cat who may be cared for by one or more residents of the immediate area who is/are known or unknown; a Community Cat may or may not be feral.

Section 2.12X. Community Cat Caregiver. A person who provides care, including food, shelter or medical care to a community cat, while not being considered the owner, custodian, harborer, controller or keeper of a community cat or to have care or charge of a community cat. Caregivers must make every effort to minimize the impact on local wildlife, feed the proper quantity of food for the number of cats in appropriate food containers, discard food containers daily and feed only on their property or with the permission of another landowner (city, state or federal public property). Community cat caregivers may redeem community cats from the shelter without proof of ownership and are exempt from any charges and/or fees.

A person who, in accordance with a good-faith effort to conduct Trap-Neuter-Return, provides care. This care includes providing food, shelter, and/or medical care to a Community Cat. However, Community Cat Caregivers are not the owner, harborer, controller, or keeper of a Community Cat.

Section 2.138. Dangerous Dog. A dog is dangerous if it:

- a) makes an unprovoked attack on a person causing bodily injury and the attack occurs in a place other than a confinement in which the dog is being kept; or
- b) commits unprovoked acts in a place other than a confinement in which the dog is being kept and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.

Section 2.149. Dangerous Wild Animals. Any animal of the following species or hybrid thereof: wolves, lions, tigers, ocelots, cougars, leopards, cheetah, jaguars, bobcats, lynx, servals, caracals, hyenas, bears, coyotes, wolves, jackals, baboons, chimpanzees, orangutans and gorillas, or as amended under Chapter 822, Subchapter E of the Texas Health and Safety Code.

Section 2.1510. Dog. ~~Canis Familiaris~~ A mammal that is wholly or partly of the species Canis Familiaris.

Section 2.1644. Domestic Animal. Any animal that is owned, kept or controlled by a person and is a species in which the evolutionary process has been influenced by humans to meet their needs.

Section 2.17XX. Ear-tipping. The removal of the distal one-quarter of a Community Cat's left ear, which is approximately 3/8-inch, or 1 cm, in an adult and proportionally smaller in a kitten. This procedure is performed under sterile conditions while the cat is under anesthesia, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian. Ear-tips are designed to identify a Community Cat as being sterilized and lawfully vaccinated for rabies having received at least one vaccination against rabies. Caregivers and owners must make every effort to booster the rabies vaccination as per the manufacturer instructions.

Section 2.1842. Estray. Any livestock that is found on a property other than the owners' property or the property that the owner has permission to keep livestock on.

Section 2.19. Feral Cat. A wild, unsocial cat that is well-suited for a life outdoors and prefers minimal to no human contact.

Section 2.2043. Foster Caregiver. Any person or household that accepts an animal/s into their home on behalf of any shelter, animal welfare group or organization with the intent of temporarily housing the animal.

Section 2.2144. Holiday. Those days designated as official holidays by the Hays County Commissioners Court.

Section 2.22. Licensed Veterinarian. A veterinarian licensed to practice veterinary medicine in one or more of the 50 states.

Section 2.2345. Livestock. Any animal that is generally kept for agricultural purposes to include but not limited to:

- a) ~~a~~Any hoofed animal including captive or domestic breeds of bovine, equine, swine, goat, sheep, Alpaca, Lama, deer or any ungulates
- b) ~~a~~Any poultry including captive and domestic breeds of chicken, swans, geese, turkey and peacocks
- c) ~~r~~Ratites including Rhea, Emu and Ostriches

Section 2.24. Owner. Any individual, corporation, association, or any other legal entity that harbors, shelters, keeps, controls, manages, possesses, or has part interest in any animal subject to these rules. The occupant of any premises on which a dog or cat, or other animal, remains for a period of seven (7) days, or to which it customarily returns for a period of seven (7) days, is presumed to be harboring, sheltering, or keeping the aforementioned animal, within this definition.

Section 2.2546. Public Nuisance. Any animal or animals that unreasonably annoy humans, endanger the life or health of other animals or persons, or substantially interfere with the rights of citizens, other than their owners, to the enjoyment of life or property. The term public nuisance shall mean and include, any animal that:

- a) repeatedly is at large or stray other than a Community Cat;
- b) damages the property of anyone other than its owner;
- c) molests or intimidates pedestrians or passersby;

- d) chases vehicles or bicycles.

Section 2.26. Rabies. An acute viral disease of man and animal affecting the central nervous system and usually transmitted by an animal bite.

Section 2.2717. Restraint. An animal shall be deemed to be under restraint if it is:

- a) tied in such a way as to prevent it from leaving or extending past the owner's premises/property and from being within ten (10) feet of any public right-of-way;
 - b) totally enclosed in a fence constructed in such a way as to prevent it from leaving the owner's premises. The use of a wireless fence which transmits either a high frequency sound or a pulse stimulus shock and that is intended to train the dog to stay on the premises will not be considered a means of restraint; or
 - c) accompanied by a responsible person who is controlling it on a leash.
- d) Community Cats are not required to be kept under restraint.

Section 2.2818. Restraint That Unreasonable Limits the Dog's Movement. A restraint;

- (1) uses a collar that is pinch-type, prong-type, or choke-type or that is not properly fitted to the dog;
- (2) is a length shorter than the greater of:
 - (A) five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail; or
 - (B) 10 feet;
- (3) is in an unsafe condition; or
- (4) causes injury to the dog.

at any time and at any location.

Section 2.2919. Running At Large. Not completely confined by a building, wall, or fence of sufficient strength or construction to restrain the animal completely to the owner's property except Community Cats and when a dog subject to these regulations is under the direct supervision of the owner and is:

- a) on a leash;
- b) held in the hands/arms of the owner or within the limits of the owner's private property and is obedient to that owner's verbal commands;
- c) within an automobile or vehicle of its owners and properly restrained; or
- d) participating in a field trial, dog show, or obedience classes.

Section 2.3020. Secure Enclosure. 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 dangerous dog;
- d) clearly marked as containing a dangerous dog; and
- e) conforms to the requirements for enclosures established by the Animal Control Authority.

Section 2.3124. Serious Bodily Injury. An injury characterized by severe bite wounds or severe ripping and tearing of muscle or tissue that would cause a reasonably prudent person to seek treatment from a medical professional or would require hospitalization without regard to whether the person actually sought medical treatment.

Section 2.3222. Shelter. A structure constructed to have a roof, four sides (with an opening to allow

entry and exit), and a floor 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.

(5) [*Cross reference the updated verbiage regarding the definition of 'shelter' in the Texas State Statute](#)

[Add](#)

[Shelter/Neuter/Return: Also known as Return to Field. Shelter/Neuter/Return \(also known as Return to Field\) -Sterilizing, ear tipping and vaccinating a free roaming cat large enough for spay/neuter and returning him to his original home location as opposed to admitting to a shelter.](#)

Section 2.3323. Stray. Any animal subject to these regulations that is running at large and whose ownership is not readily ascertainable shall be deemed a stray. Absence of a current rabies tag and/or a tag identifying the owner on any animal subject to these regulations is evidence of its status as a stray.

Section 2.3424. Tether. To secure or tie an animal by means of any cable, chain, rope or lead as a means to maintain the animal to the owner's property. This includes a tether to a fixed/stationary location or on a cable run or a guide cable/rope.

[Section 2.35XX. Trap-Neuter-Return \("TNR"\) Program](#) [The nominal process of humanely trapping, sterilizing, vaccinating for rabies, ear-tipping, and releasing Community Cats to their original location.](#)

[Add](#)

[Unsocialized: A cat \(also known as feral\) who is not socialized to people.](#)

Section 2.3625. Vaccinated. An animal which has been currently and properly injected with a rabies vaccine, licensed for use in that species by the United States Department of Agriculture and administered by a veterinarian licensed by the State of Texas.

Section 2.3726. Wild Animal. All species of animals that naturally exist in an unconfined state and are usually not domesticated shall be deemed wild. This definition shall apply whether or not the wild animal has been confined for any duration in any fashion.

SECTION 3.

LOCAL ANIMAL CONTROL AUTHORITY

Section 3.1. Designation of Animal Control Officer. The Commissioners Court of Hays County, Texas, hereby designates the Hays County Sheriff as the local health authority and creates the position of Animal Control Officer within the Sheriff's Office to assist with the following:

- a) formulation of rules and procedures to be approved by Commissioners' Court for the enforcement of this ordinance;
- b) supervising the implementation, administration and enforcement of this ordinance.

Section 3.2. Duties of Animal Control Officer. The Animal Control Officer or his authorized designee will be responsible for, but not limited to, the following duties as set forth in this ordinance and to carry out provisions of the State laws pertaining to control and eradication of rabies.

- a) Animal bites - receive and investigate reports or animal bites within Hays County in a timely manner. Bites occurring within municipalities having Animal Control Ordinances will be referred to the proper municipal authority.
- b) Quarantine - perform immediate and proper quarantine procedures for animals suspected of having rabies. Animals may be placed in approved animal shelters or veterinary hospitals.
- c) Impoundment - the Animal Control Officer or his authorized designee will humanely capture and transport an animal to the County's designated animal shelter or kennel for violations set forth in this ordinance.
- d) ~~Destruction-Euthanasia~~ - perform immediate, if warranted, ~~proper and humane destruction of end of life service for~~ certain animals described in this ordinance.
- e) Citations - Issuance of citations for various violations and offenses set forth.
- f) Records - Provide necessary data and reports on a periodic basis as required by the Hays County Commissioners Court.

Section 3.3. Interference with the Animal Control Officer and Penalty. It shall be unlawful for any person to intentionally or knowingly, by act or omission, physically interfere with, molest, hinder, or prevent the Animal Control Officer from the official discharge of the duties herein prescribed. No person shall remove, alter, damage or otherwise tamper with a trap or equipment belonging to, or set out by, the Animal Control Department or its designee.

Section 3.4 Penalty. Any person who violates a provision of Section 3 shall be guilty of a Class B misdemeanor. (Penal Code Sec. 38.15 (a) (-6))

SECTION 4. LICENSING AND REGISTRATION (Auth. by H&SC 826.031)

Section 4.1 Animals Required to be Licensed. All dogs and cats older than three (3) months which are kept, possessed, or controlled within Hays County shall be licensed at a rate of \$15.00 per year with the one year Rabies vaccine or \$25.00 per every three years for animals vaccinated with the three year Rabies Vaccine. No person may use a license for any animal other than the animal for which it was issued. A dog or cat may not be subject to dual registration. Community Cats are exempt from licensing.

Section 4.2 Cooperation with Local (to be determined). In an effort to encourage the registration of dogs and cats, any organization or branch of government who registers any Hays County animals are authorized to retain fees collected in an effort to offset any expense incurred in the administering of registrations. Any fees collected by the County relating to the registration of animals shall be used to administer the Animal Control program for the County.

Section 4.3 Exceptions. Owners of the following categories of dogs are not required to obtain a license.

- a) Dogs possessed by animal breeders operating under a business name and possessing a sales

- tax permit.
- b) Sheltered and impounded animals housed by licensed veterinarians or the county or municipal animal shelters.
- c) Dogs trained to assist law enforcement.
- d) Dogs with a valid license from a municipality within Hays County in which the animal resides.
- e) Non-resident dogs remaining within Hays County for less than sixty (60) days.
- f) Community Cats are not required to be licensed.

Section 4.4. Penalty. Any person who violates a provision of Section 4 shall be guilty of a Class C misdemeanor.

SECTION 5. RABIES CONTROL PROGRAM (Auth. H&SC 826.012)

Section 5.1. Rabies Vaccination. No person shall own, keep, or harbor within the county any dog or cat over the age of four (-4) months unless such dog or cat has a current rabies vaccination. Every domestic dog or cat must be revaccinated against rabies at a minimum of at least once every three years. Any person moving into the county shall comply with this section within ten (-10) days after having moved into the county.

- a) Rabies vaccines for animals may be administered only by or under the direct supervision of a licensed veterinarian.

Section 5.2. Certificate of Vaccination. Upon vaccination, the veterinarian shall execute and furnish to the owner of the dog or cat a certificate using a form furnished by the veterinarian. Information contained in a rabies vaccination certificate is confidential and not subject to disclosure under Chapter 552, Government Code. The information may only be disclosed to a governmental entity or a person that, under contract with the governmental entity, provides animal control services or animal registration services for purposes related to the protection of public health and safety. The veterinarian shall retain a duplicate copy. Such certificate shall contain the following information.

- a) the name, address and telephone number of the owner of the vaccinated dog or cat;
- b) the date of vaccination;
- c) the type of rabies vaccine used;
- d) the year and number of rabies tag; and
- e) the breed, age, color, and sex of the vaccinated dog or cat.

Section 5.3. Rabies Tag. Concurrent with the issuance and delivery of the certificate of vaccination, the veterinarian shall furnish to the owner of the vaccinated dog or cat a metal tag. The owner of the dog or cat shall attach the metal tag to the collar or harness of the vaccinated dog or cat, serial numbered to correspond with the vaccination certificate number, and bearing the year of issuance and the name of the issuing veterinarian and his/her address. The owner shall have the collar or harness, with the metal tag attached, on his/her dog or cat at all times. Any other methodology approved and accepted by the Texas Department of Health for identification purposes will be considered by the Animal Control Officer. Community Cats are not required to wear a rabies tag.

Section 5.4. Duplicate Tags. In the event of loss or destruction of the original tag provided in Section 5.3, the owner of the animal shall obtain a duplicate tag. Vaccination certificates and tags

shall be valid only for the animal for which it was originally issued. Duplicate tags may be purchased from any practicing veterinarian in Hays County.

Section 5.5. Proof. It shall be unlawful for any person who owns a vaccinated dog or cat to fail or refuse to exhibit his copy of the certificate of vaccination upon demand to any person charged with the enforcement of this order.

Section 5.6. Animals Exposed to Rabies.

- a) Any person who has reason to believe that any animal, whether or not currently vaccinated, has been exposed to rabies must immediately report the incident to the Animal Control Authority.
- b) Any such animal shall be impounded and placed in isolation in a facility approved by the Animal Control Authority, for such time as is necessary, depending upon all relevant circumstances, for a licensed veterinarian to determine that the animal has not contracted rabies.
- c) If the owner of the animal cannot provide an approved isolation facility or does not agree to pay for the facility, the animal shall be humanely destroyed at the owner's expense.
- d) If the animal's owner cannot be identified or located within seventy-two (72) hours from the time of impoundment, not counting weekends nor holidays, the animal shall be humanely destroyed.
- e) In addition to any impound fees, any costs directly associated with the examination, treatment, and/or vaccination of the animal shall be due prior to release of the animal.

Section 5.7. Penalty for Violation.

- a) ~~A person commits an offense if the person fails or refuses to have each dog and cat owned by the person vaccinated against rabies and the animal is required to be vaccinated.~~
- ~~a+b)~~ Any person who violates a provision of Section 5 shall be guilty of a Class C misdemeanor.
- c) It is a defense to prosecution under this section that the person charged produces proof of vaccination that was valid at the time the offense is alleged to have occurred.
- ~~b+d)~~ ~~The second offense shall be considered a Class B misdemeanor.~~

SECTION 6.
REPORTING BITES FROM ANIMALS SUSCEPTIBLE TO RABIES
(Auth. H&SC 826.041)

Section 6.1. Report Required. Any person having knowledge of a bite ~~or scratch~~ to a human by any ~~warm-blooded~~~~warm-blooded~~ animal shall report the incident to the Animal Control Officer immediately. ~~The report must include:~~

- a) ~~The name and address of the victim and of the animal's owner, if known; and~~
- b) ~~Any other information that may help in locating the victim or animal.~~

Section 6.2. Quarantine Required. The owner, if any, of the biting animal shall place the animal in quarantine as prescribed in Section 7 under the supervision of the Animal Control Officer.

Section 6.3. Investigation. The Animal Control Officer shall investigate each bite incident reported.

SECTION 7.

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QUARANTINE PROCEDURES
(Auth. H&SC 826.042)

Section 7.1. Rabies Quarantine.

- a) When an Animal Control Officer has probable cause to believe that the owner of an animal that has bitten a human has been identified, the owner, if any, will be required to produce the animal for ten (10) days quarantine at the owner's expense.
- b) The ten (10) day quarantine period begins on the day the animal is produced for quarantine.
- c) The animal must be placed in an animal control facility or a veterinary hospital approved for that purpose by the Texas Department of Health.

Section 7.2. Owner Refuses Quarantine. If the biting animal is not produced to a quarantine facility within forty-eight (48) hours of being notified of such requirement by a Sheriff's designee, the Sheriff's designee may apply for a seizure warrant at the local Justice of the Peace to seize the animal. The animal shall then be placed into a quarantine facility at the owner's expense. Failure of an owner to make arrangements with the quarantine facility for payment of services could result in the destruction of the animal seventy-two (72) hours after the completion of the quarantine period.

Section 7.3. Wild Animals. No wild animals will be placed in quarantine. All wild animals involved in biting incidents shall be humanely killed in such a manner that the brain is not mutilated and the brain shall be submitted to a TDH-certified laboratory for rabies diagnosis.

Section 7.4. Penalty for Violation.

- a) Any person who violates a provision of Section 7 shall be guilty of a Class C misdemeanor.
- b) If it is shown on trial that a person has been previously convicted under this section, no portion of a fine imposed for subsequent violations may be deferred, suspended or probated.
- c) Each day an animal is not produced for quarantine shall constitute a separate offense.

SECTION 8.
PROHIBITION OF A NUISANCE
(Auth. H&SC 826.033)

Section 8.1. Dogs Prohibited from Running at Large.

- a) When the owner of a dog running at large is determined and the owner can be located, the dog may be returned to its owner and the owner may be cited for violation of this order.
- b) If ownership is in question or if the animal is a stray, the animal shall be impounded for seventy-two (72) hours, not counting weekends nor holidays. ~~Impounded Community Cats shall not be impounded unless veterinary care is required.~~
- c) An owner may claim the animal within this time period after paying all incurred costs and impoundment fees. A financial incentive may be offered to encourage spay/neuter, microchipping, licensing and rabies vaccination.
- d) Upon failure of the owner to claim the animal during that period, the Animal Control Officer may order the animal destroyed without compensation to the owner.
- e) ~~Impounded Community Cats should be sterilized, vaccinated, ear-tipped and returned to the location where trapped or directed to an SNR or Trap-Neuter-Return (TNR) program.~~

Section 8.2. Penalty for Violation. Any person who violates a provision of Section 8 shall be

guilty of a Class C misdemeanor.

SECTION 9. **UNLAWFUL RESTRAINT**

*Check updated definition of tethering from the Texas State Statute

Section 9.1 Tethering. It shall be a violation of this ordinance for a person to tether an animal in a manner that unreasonably limits the dog's movement as defined in section 2.18 of this ordinance. It shall also be a violation under this section if an owner:

- a) fails to provide the animal clean drinking water at all times,
- b) fails to provide shelter, as defined by this ordinance, at all times.

Section 9.2 Penalty for Violation. Any person who violates a provision of Section 9 shall be guilty of a Class C misdemeanor.

SECTION 10. **OWNERSHIP OF DANGEROUS DOGS**

Section 10.1. Requirements for Ownership of a Dangerous Dog. An owner of a dangerous dog must:

- a) Register the dangerous dog with the Hays County Animal Control Officer for the area in which the dog is kept.
- b) Pay an annual fee of \$100.00 to the Hays County Sheriff's Office.
- c) Restrain the dangerous dog at all times on a leash in the immediate control of a person or in a secure enclosure which has been approved by the Animal Control Officer.
- d) Post a sign on his/her premises warning that there is a dangerous dog on the property. This sign shall be visible and be capable of being read from a public street or highway.
- e) Spay or neuter the dangerous dog.
- f) Obtain necessary insurance or show financial responsibility in the amount of at least \$100,000 to cover damages to persons and property resulting from a dog attack.

Section 10.2. Limitation of Ownership of Dangerous Dogs.

- a) Only one dangerous dog may be owned per household.
- b) No more than one dangerous dog may remain at any residence for more than seven days.

Section 10.3. Declaration of a Dangerous Dog.

- a) Animal Control may find and declare a dog to be dangerous or potentially dangerous if Animal Control has probable cause to believe that a dog committed any acts described in the definition of Dangerous Dog (Section 2.8) or that the dog repeatedly bit or vigorously shook its victim and the victim, or a person intervening, had difficulty terminating the attack; or
- b) Upon receipt of an affidavit of complaint signed by one or more individuals, made under oath before an individual authorized by law to take sworn statements or made at the Animal Control Office, setting forth the nature and the date of the act, the location of the event, the name of the owner of the dog, the address of the owner, and the description of the dog doing such act, Animal Control shall investigate the complaint and determine if a dog is dangerous.

Section 10.4. Notification of Declaration of Dangerous Dog.

- a) Within five (5) working days of declaring any dog dangerous or potentially dangerous, Animal Control will notify, by regular mail and by certified mail, return-receipt requested,

the owner of the dog(s) designated as a dangerous dog. Animal Control shall also post a written notice at the entrance of the premises where the dog is harbored.

- b) Receipt of said notice shall be presumed upon proof of either of the following occurrences:
 - 1) Return of an executed return-receipt;
 - 2) Affidavit by Animal Control of deposit of a correctly addressed notice into United States mail; or
 - 3) Affidavit by Animal Control of posting of the notice at the premises where the dog was harbored.
- c) An owner may appeal this declaration to a justice court of competent jurisdiction. If the dog is declared to be dangerous, the notice shall inform the owner of the dog that a determination hearing may be requested to contest the declaration. The request for a determination hearing must be in writing and must be received by the appropriate Justice of the Peace no later than ten (10) working days from receipt of notice by the owner of the dog. Failure to appeal the declaration within ten (10) working days shall result in Animal control's decision becoming final.

Section 10.5. Determination Hearing.

- a) Upon written request for a determination hearing by the owner of a dog declared dangerous, the dog in question will be subject to any behavior assessment test or any other means available to Animal Control. The results of any tests will be presented at the determination hearing and be taken into consideration for the final determination. The owner shall be responsible for any costs ~~incurred~~ incurred for the test or tests to be conducted and fees of the animal behaviorist to analyze the video test or tests.
- b) The owner shall be notified of the hearing by placing the notice in the United States mail addressed to the owner. Failure of the owner of the dog to appear at the determination hearing shall result in the Animal Control's declaration becoming final. Pending the outcome of the determination hearing, the dog must be securely confined in a humane manner at a licensed veterinarian facility or in an animal shelter. The costs of securing the dog pending the determination hearing shall be borne by the owner.
- c) The court shall determine by a preponderance of the evidence whether the declaration that the dog is dangerous is proper based upon the evidence, affidavits, and testimony presented at the hearing.

Section 10.6. Defense to Declaration of Dangerous Dog. It is a defense to the determination of any dog as dangerous and to the prosecution of the owner of the dog:

- a) If the threat, injury, or damage was sustained by a person who at the time was committing a willful trespass or other tort upon the premises occupied by the owner of the dog;
- b) If the person was teasing, tormenting, abusing, or assaulting the dog;
- c) If the person was committing or attempting to commit a crime;
- d) If the dog was protecting or defending a person within the immediate vicinity of the dog from an unjustified attack or assault; or
- e) If the dog was injured and responding to pain.

Section 10.7. Exemptions. It is a defense to prosecution that a person is:

- a) A veterinarian, a peace officer, a person employed by a recognized animal shelter or a person employed by the state or a political subdivision of the State to deal with stray animals and has temporary ownership, custody, or control of the dog in connection with that position;

- b) An employee of the institutional division of the Texas Department of Criminal Justice or a law enforcement agency and trains or uses dogs for law enforcement or corrections purposes; or
- c) A dog trainer or an employee of a guard dog company under the Private Investigators and Private Security Agencies, Tex. Rev. Civ. Stat. Art. 4412 (29BB).

Section 10.8. Confiscation.

- a) Until the owner of a dog determined to be dangerous has met the requirements placed on that owner by Section 822.042, Texas Health & Safety Code and this order, the Animal Control Officer or his designee shall seize the dog whether it be found on public or private property.
- b) The Animal Control Officer shall have no authority to seize any dog unless he has first delivered to the owner of the dog, a written notice of the determination that the dog is a dangerous dog. The notice may be delivered either in person or by certified mail, return receipt requested, directed to the last known mailing address of the owner.
- c) The Animal Control Officer shall be required to obtain a search and seizure warrant to gain custody of any dog/s.
- d) If an attempt is made by the Animal Control Officer to impound a dangerous dog and the impoundment cannot be made safely, the owner shall be notified and given twenty-four (24) hours to surrender the dog to the Animal Control Officer. The notice shall include a warning that failure to surrender the dog may result in destruction of the dog if it cannot be safely impounded on any subsequent attempt;
- e) The dog thus seized shall be ordered sheltered by the Animal Control Officer for a period of seventy-two (72) hours, not counting weekends nor holidays, to allow the owner to claim the dog upon satisfaction of the provisions of Section 822.042 and 822.042 of the Texas Health & Safety code and this ordinance. Upon failure of the owner to reclaim the dog during that period, the Animal Control Officer may humanely destroy the dog without compensation to the owner.
- f) In addition to the fees required for registration of the dog, the owner must prior to the dog's release, satisfy all above-referenced provisions.

Section 10.9. Penalty for Violation.

- a) Any person who violates a provision of Section 10 shall be guilty of a Class C misdemeanor.
- b) If it is shown on trial that a person has been previously convicted under this Section, no portion of a fine imposed for subsequent violations may be deferred, suspended or probated.
- c) Each day that a person owns a dangerous dog in violation of this section shall constitute a separate offense.
- d) An offense under this section is a Class B misdemeanor if the defendant has previously been convicted under this section.
- e) If a person is found guilty of an offense under this section, and the offending dog caused death or serious bodily injury, the Court may order the dangerous dog destroyed by Animal Control in a humane manner.

SECTION 11.
ATTACKING DOMESTIC ANIMALS

Section 11.1 Dogs That Attack Domestic Animals.

- a) A dog or coyote that is attacking, is about to attack, or has recently attacked livestock or other domestic animals or fowls may be subject to destroyed-uthanasia if confinement on the owner's property is not possible by:

- 1) Any person witnessing the attack; or
 - 2) The attacked animal's owner or a person acting on the behalf of the owner. If the owner or person has knowledge of the attack.
- b) Subsection 11.1 (-a), above, does not authorize a person to violate other local, state or federal laws, including but not limited to Trespassing or Disorderly Conduct.
 - c) A person who kills a dog as provided by this section is not liable for damages to the owner, keeper or person in control of the dog.
 - d) A person who discovers on the persons property a dog known or suspected of having attacked livestock, domestic animals or fowl may detain or impound the dog and return it to its owner or deliver the dog to the Animal Control Unit of the Sheriff's Office. The owner of the dog is liable for all cost incurred in the capture and care of the dog and all damage done by the dog.
 - e) The owner, keeper or person in control of a dog that is known to have attacked livestock, domestic animal or fowl shall control the dog in a manner approved by the Animal Control Unit of the Sheriff's Office and shall not permit the dog to run at large.
 - f) A person is not required to acquire a hunting license under section 42.002, Parks and Wildlife Code to destroy a dog or coyote under this section.
 - g) A dog that attacks livestock, domestic animals or fowls may be registered as a dangerous dog and treated in accordance with Section 10.4, above

Section 11.2 Protection of Livestock.

- a) The owner of any sheep, goats, calves, or other domestic animals that are subject to the ravages of sheep-killing dogs may place poison on the premises where the animals are kept.
- b) The owner must post notice of the poison at each entrance to the premises before placing the poison.

Section 11.3 Penalty for Violation.

- a) The owner of a dog who permits the animal to run at large in violation of section 11.1(e) commits a class C Misdemeanor offence.
- b) Each time a dog runs at large in violation of this section constitutes a separate offence.

Section 11.4 Dangerous Dogs Related to Attacks on Animals. The penalties for violation of the dangerous dog provisions cited in section 8 and section 822.005 of the Health and safety Code shall only apply to attacks against a person. If an attack occurs against livestock, domestic animal or fowl, the following procedures shall be followed:

- a) The first known attack by a dog against livestock, domestic animals or fowl shall result in the prosecution of the owner under section 11.3, above. If the owner is adjudicated for the violation cited in Section 11.3, above then Animal Control shall register the dog as a dangerous dog for the purpose of this subsection. After Animal Control has registered the dog as a dangerous dog under this section, Animal Control may provide the owner with written requirements that will better enable the owner to control the dangerous dog. If the owner fails to implement these requirements to the satisfaction of Animal Control, then Animal Control may apply for a seizure order or confiscate the dog in accordance with Section 10.8 above.
- b) If a dog that is registered under this subsection is subsequently accused of an attack against livestock, domestic animals or fowl while the dog is running at large then Animal Control shall:
 - 1) Schedule a hearing in accordance with section 10.5, above;

- 2) Provide prior notice of such hearing to the owner; and
- 3) Seize the dog in accordance with Section 10.8, above, unless the owner securely confines the dog to the satisfaction of Animal Control.

If it is shown by a preponderance of the evidence that the dog, indeed, attacked livestock, domestic animals or fowl then the Animal Control Unit shall arrange the humane destruction of the dog.

- c) If, after a hearing, it is found that the dog shall be humanely destroyed under subsection 11.4(b) above, the owner may immediately and voluntarily relinquish ownership of the dog and request that the court allow placement of the dog with a nonprofit animal shelter, pound or society for the protection of animals. The court may withdraw the order to have the dog humanely destroyed and grant such a request, if the owner swears, in writing, to refrain from:
 - 1) Interfering with the animals' placement, and/or
 - 2) Attempting to own or possess the animal in the future.

SECTION 12.
LIVESTOCK PROHIBITED FROM RUNNING AT LARGE
(AUTH. AG CODE 143.021)
(Adopted 1936 STOCK LAW, Vol. H page 316)

Section 12.1 Loose Livestock.

- a) Any livestock that is found to not be on the owners' property or on the property that the owner has permission to keep livestock on shall be deemed as an estray.
- b) After receiving a report under Subsection (a) of this section that an estray has been discovered on private property, the Sheriff or the Sheriff's designee shall notify the owner, if known, that the estray's location has been reported.
- c) After receiving a report under Subsection (a) of this section that an estray has been discovered on public property, the Sheriff or the Sheriff's designee shall notify the owner, if known, that the estray's location has been reported, except that if the Sheriff or his designee determines that the estray is dangerous to the public, he may immediately impound the estray without notifying the owner. If the owner does not immediately remove the estray, the Sheriff or the Sheriff's designee shall proceed with the impoundment process prescribed by Section 142.009 of Texas Agricultural Code.

(AUTH. AG CODE 144.01)

Section 12.2 Owner's Brands.

- (a) Each person who has cattle, horses, hogs, sheep, or goats shall have and may use one or more earmarks, brands, tattoos, or electronic devices differing from the earmarks, brands, tattoos, and electronic devices of the person's neighbors.
- (b) A person who owns a horse may have and use one or more of the following to identify the horse:
 - (1) a brand differing from the brand of the person's neighbors, including a fire or electric heat brand, freeze brand, acid brand, or hoof brand;
 - (2) an earmark differing from the earmark of the person's neighbors;
 - (3) a tattoo differing from the tattoo of the person's neighbors;
 - (4) an electronic device; or
 - (5) another generally accepted identification method.

(AUTH. AG CODE 144.041.)

Section 12.3 Marks and Brand to be Recorded.

- (a) Each person who owns cattle, hogs, sheep, or goats shall record that person's earmarks, brands, tattoos, and electronic devices with the county clerk of the county in which the animals are located.
- (b) A person who owns a horse shall record an identification mark authorized by Section 12.2 with the County Clerk of the county in which the animal is located.
- (c) The County Clerk shall keep a record of the marks and brands of each person who applies to the clerk for that purpose.
- (d) A person may record that person's marks and brands in as many counties as necessary.
- (e) A person may record any mark or brand that the person desires to use if no other person has recorded the mark or brand, without regard to whether that person has previously recorded a mark or brand.
- (f) Not later than the 30th day after the date a County Clerk receives a record relating to cattle or horses under this section, the clerk shall forward a copy of the record to the association authorized to inspect livestock under 7 U.S.C. Section 217a.
- (g) The recording of marks and brands at a point of sale for use by an association authorized to inspect livestock under 7 U.S.C. Section 217a does not serve as a record under this chapter. An association authorized to inspect livestock under 7 U.S.C. Section 217a has no duty to verify ownership at a point of sale.
- (h) A County Clerk may accept electronic filing or rerecording of an earmark, brand, tattoo, electronic device, or other type of mark for which a recording is required under this chapter or other law.

Section 12.4. Penalty for Violation. Any person who violates a provision of Section 12 shall be guilty of a Class C misdemeanor.

SECTION 13.
REGULATION OF CERTAIN FACILITIES AND BUSINESSES

Section 13.1. Breeders.

- (a) All breeders, as defined in section 2.6 of this ordinance and is located within Hays County, shall register their facility/operation with the county Animal Control unit of the Sheriff's Office at no cost to the breeder. Animal Control will provide the registration form upon request or when the breeder is notified of these regulations.
- (b) All breeders will be subject to inspection of each location of operation of the breeder at least once in every 12-month period and at other times as necessary to ensure proper care of the animals kept at each location.
 - (1) An Animal Control Officer herein referred to as inspector shall conduct each inspection of the facility/operation.
 - (2) The inspection must be conducted during the operations normal business hours, and the breeder or a representative of the breeder must be given a reasonable opportunity to be present during the inspection.
 - (3) If necessary, to adequately perform the inspection, the inspector may determine it is appropriate to not provide advance notice to the breeder or a representative of the breeder before arriving at the facility/operation. The breeder or its representative shall, on request of an inspector, assist the inspector in performing the inspection.

- (4) In conducting an inspection under this section, an inspector may not enter or access any portion of a private residence of a breeder except as necessary to access animals or other property relevant to the care of the animals. The inspector may request that relevant documents or records be provided for inspection.
- (5) The inspector shall submit an inspection report to the Animal Control Supervisor not later than the 10th day after the date of the inspection and provide a copy of the report to the breeder or its representative.

Section 13.2 Boarding Facilities

- (a) All boarding facilities, as defined in section 2.5 of this ordinance, located within Hays County shall register their facility/operation with the county Animal Control unit of the Sheriff's Office at no cost to the facility. Animal Control will provide the registration form upon request or when the facility/operation is notified of these regulations.
- (b) All facilities will be subject to inspection of each location of operation of the facility at least once in every 12-month period and at other times as necessary to ensure proper care of the animals kept at each location.
 - (1) An Animal Control Officer, herein referred to as inspector, shall conduct each inspection of the facility.
 - (2) The inspection must be conducted during the facilities normal business hours, and the owner or a representative of the owner must be given a reasonable opportunity to be present during the inspection.
 - (3) If necessary, to adequately perform the inspection, the inspector may determine it is appropriate to not provide advance notice to the facility or a representative of the facility before arriving at the facility. The facility or its representative shall, on request of an inspector, assist the inspector in performing the inspection.
 - (4) In conducting an inspection under this section, an inspector may not enter or access any portion of a private residence of a facility except as necessary to access animals or other property relevant to the care of the animals kept at each location. The inspector may request that relevant documents or records be provided for inspection.
 - (5) The inspector shall submit an inspection report to the Animal Control Supervisor not later than the 10th day after the date of the inspection and provide a copy of the report to the facility or its representative.
- (c) No boarding facilities shall allow or permit any stray or lost animals to be placed in their custody. All animals found to be a stray must be turned over to Animal Control and held at the animal facility, the county deems as the county shelter under contract or ownership, for a minimum of seventy-two (72) hours pursuant to section 8.1 of this ordinance.

Section 13.3 Animal Welfare Groups.

- (a) ~~No If an welfare groups as defined in section 2.3 shall allow or permit any finds a stray or lost animals dog, they must report the information about the dog to to be placed in their custody. All animals found to be a stray or running at large must be turned over to Animal Control and held at the animal facility, the county deems as the county shelter under contract or ownership, hold the dog for a minimum of seventy-two (72) hours pursuant to section 8.1 of this ordinance while attempting to find the rightful owner. This shall not apply to cats trapped as part of a Trap-Neuter-Return TNR program.~~
- (b) All welfare groups located within Hays County shall register their facility/operation with the county Animal Control unit of the Sheriff's Office at no cost to the welfare groups. Animal

Control will provide the registration form upon request or when the welfare groups are notified of these regulations.

- (c) All welfare groups shall be subject to inspection of each location of operation of the welfare group at least once in every 12-month period and at other times as necessary to ensure proper care of the animals kept at each location. If the organization does not have a facility, the organization shall provide the locations where any animals under that organizations control are being housed to include a list of private residences that are acting as foster caregivers.
 - (1) An Animal Control Officer herein referred to as inspector shall conduct each inspection of the facility/operation or locations where animals are harbored.
 - (2) The inspection must be conducted during the operations normal business hours, and the manager or a representative of the welfare group should be given a reasonable opportunity to be present during the inspection.
 - (3) If necessary, to adequately perform the inspection, the inspector may determine that it is appropriate to not provide advance notice to the welfare group or a representative of the welfare group before arriving at the location to be inspected. The welfare group or its representative shall, on request of an inspector, assist the inspector in performing the inspection.
 - (4) In conducting an inspection under this section, an inspector may not enter or access any portion of a private residence of a welfare group except as necessary to access animals or other property relevant to the care and housing of the animals. The inspector may request that relevant documents or records be provided for inspection.
 - (5) The inspector shall submit an inspection report to the Animal Control Supervisor not later than the 10th day after the date of the inspection and provide a copy of the report to the welfare group or its representative.

Section 13.4 Foster Caregivers. Any persons acting in the capacity as a foster caregiver as defined under section 2.13 of this ordinance and/or working under any of the facilities or businesses outlined in section 13 must, prior to accepting animals complete an animal husbandry course that has been approved by Animal Control for the type of animal being accepted into the persons care.

Section 13.5. Penalty.

- (a) It shall be a class b misdemeanor under Texas Penal Code Sec. 38.15 (a) (6) for
 - (a) anyone to knowingly, willingly or recklessly prevent or hinder an Animal Control officer from conducting an inspection under section 13 of this ordinance.
 - (b) It shall be a class c misdemeanor for a person to knowingly willingly or recklessly refuse to register their facility or operation under section 13 of this ordinance.
 - (c) It shall be a class c misdemeanor for a person to knowingly willingly or recklessly fail to comply with section 13.4 of this ordinance.
 - (d) Each day any organization business or group, covered in section 13, fails to register its operation with the Hays County Animal Control shall constitute a separate offense
 - (e) Any deficiencies or violations of section 13 may be reported to the State Comptroller's Office with regards to any Animal Welfare Groups that are classified as 501c (non-profit).

SECTION 14.
IMPOUNDMENT FACILITIES AND FEES

Section 14.1. Animal Facilities. The Hays County Commissioners Court may enter into contracts or agreements with public, private entities, or animal shelters to provide for the impoundment of animals under this ordinance or to carry out other activities required or authorized by this

ordinance. Any animal adopted from an animal facility that has entered into a contract with Hays County shall require that all animals adopted be spayed or neutered within forty-five (45) days of the adoption.

Section 14.2 Impoundment Fees. An owner of an animal that has been impounded under any section of this ordinance shall pay all applicable impoundment fees, as established by Animal Control and the animal facility where each animal was housed as approved by the Animal Control Officer, before retrieving the animal.

SECTION 15XX TRAP-NEUTER-RETURN

Section 15XX.1. Trap-Neuter-Return. Trap-Neuter-Return ("TNR") shall be the preferred disposition for impounded Community Cats controlling the Community Cat population. Animal control and the local shelter are authorized and encouraged to conduct Trap-Neuter-Return TNR or to direct impounded Community Cats to a Trap-Neuter-Return TNR program. Specifically,

- (a) Trap-Neuter-Return shall be performed to be practiced by owners, Community Cat Caregivers, animal welfare groups, and animal control, in accordance with any applicable federal or state law. As a part of Trap-Neuter-Return TNR, spay or neuter, ear-tipping and vaccination for rabies shall take place under the supervision of a licensed veterinarian.
- (b) Trapping of Community Cats is permitted only for the purpose of TNR unless a Community Cat is injured or veterinary care is required. Community Cats must be at least eight (8) weeks old to participate in TNR.
- (c) A trapped Community Cat will be released at the site where trapped, unless veterinary care is required or there are extenuating circumstances. An ear-tipped cat received by a shelter or animal control will be returned to the location where trapped unless veterinary care is required.
- (d) Community Cat Caregivers are empowered to reclaim impounded Community Cats without request or resolution solely for the purpose of carrying out Trap-Neuter-Return TNR and/or returning ear-tipped Community Cats to their original locations.
- (e) A Community Cat Caregiver who returns a Community Cat to its original location while conducting TNR is not deemed to have abandoned the cat.
- (f) If a community cat enters a shelter, they are not subject to a stray hold period.
- (g) A Community Cat Caregiver who returns a Community Cat to its original location while conducting Trap-Neuter-Return is not deemed to have abandoned the cat.

Section 15.2. Consent. The Owner of any abandoned, stray, lost, free, roaming or feral-unsocialized cat which is trapped, seized or otherwise delivered to the shelter and which would otherwise qualify as a Community Cat is deemed to hereby consent to the participation of the TNR program in its entirety.

SECTION 16. BARN CAT/WORKING CAT PROGRAM

~~Section 16.1. Barn-CatWorking Cat Program. The Barn-CatWorking Cat Program is implemented to establish shelter and a continuous source of food and water for feralunsocialized or socialized cats who prefer to be outdoors;~~

~~Members of the community who have a barn or outdoor structure and are interested in adopting Barn Cats must fill out the Adoption Application. There shall be no adoption fee.~~

~~Barn Cats shall help keep rodent and other pest populations away from the property.~~

SECTION 1745. **INDEMNITY**

Section 1745.4.1 Severance Clause. If any section, sentence, or clause of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Notes/Other Topics to Discuss:

Adoption applications

Trap rental agreement

Will a new TNR program cost the County any additional funding through our agreement with the San Marcos Regional Animal Shelter?

4. Do we have enough Animal Control Officers to handle the additional workload?

Commented [sp1]: Hays County doesn't have a shelter so this section should just allow for a Working Cat program in general.

Commented [sp2]: This does not apply since Hays County does not yet have a shelter.

Commented [sp3]: This does not apply since Hays County does not have a shelter.

Commented [sp4]: Hays County should subsidize community cat spay neuter as this will reduce enforcement calls around cats. This can be budget neutral.

Commented [sp5]: No additional officers are needed. In some municipalities, ACOs have nothing to do with the transport of healthy community cats for surgery. In others, they transport the cats for surgery and return them to their original home location.

Attachment B: San Marcos Ordinance Redline Recommendations:

Subpart A - GENERAL ORDINANCES Chapter 6 ANIMALS

Chapter 6 ANIMALS¹

DRAFT

¹Editor's note(s)—Ord. No. 2008-62, §§ 2—4, adopted Dec. 16, 2008, amended Ch. 6. Former Ch. 6 pertained to similar subject matter. For a complete history of former Ch. 6 see the Code Comparative Table.

State law reference(s)—Cruelty to animals, V.T.C.A., Health and Safety Code, § 821.001 et seq.; animal control, V.T.C.A., Health and Safety Code, § 822.001 et seq.

ARTICLE 1. IN GENERAL—TREATMENT OF ANIMALS

Sec. 6.001. Definitions.

For the purposes of this chapter certain terms and words are defined. Words used in the present tense include the future, the singular number includes the plural, and the plural the singular; reference to male gender includes the female, and references to any person or animal without specifying gender includes both male and female; the word "shall" is mandatory and directory wherever it is used in this chapter. Other words defined are:

Adequate food means food that provides a nutritionally complete diet for the animal being fed with said food being free from mold, insect infestation, rancidity, or otherwise compromised in a manner that would be harmful to the animal.

Adequate shelter means a shelter that has at least a roof, three sides, a clean floor, is ventilated, is constructed in a manner to protect an animal from inclement weather, including the provision of bedding when necessary to protect the animal from cold or inclement weather.

After hours means after 5:00 p.m. and before 8:00 a.m. on weekdays, and anytime on weekends.

Animal means any living creature, except human beings, classified as a member of the Kingdom Animalia including, but not limited to, mammals, birds, reptiles and fish.

Animal control officer means the City of San Marcos Animal Services Manager, an authorized representative designated by the animal services manager, or any person designated by the city to enforce city ordinances and state laws pertaining to animals.

Animal services manager means the person designated by the City of San Marcos as the manager of animal services and the animal services facility.

Animal services and animal services facility means the City of San Marcos animal facility and all services related to the operation of that facility.

Animal shelter means any facility operated by a humane society for the purpose of impounding or caring for animals under the authority of this chapter or state law.

Animal dealer means any person, partnership or corporation engaging in the business of buying, selling or trading animals to others; including, but not limited to, sales of any animal at a roadside stand, booth, flea market, or other temporary site. This definition does not include nonprofit animal shelters, rescue groups, or government operated animal shelters.

Animal establishment means any facility or business that has custody or control of animals within the City of San Marcos including, but not limited to, pet shops, pet grooming facilities or commercial kennels. This term does not include veterinary or medical facilities, research or other facilities licensed by governmental agencies.

Animal exhibition means any exhibition or act featuring performing animals, including circuses, temporary animal exhibits, petting zoos and private zoos. Such exhibitions shall not include resident or nonresident dog and cat shows, and other animal shows sponsored or sanctioned by Hays County held at the Hays County Exhibition Center.

Assistant animal means any animal professionally trained to assist a person with disabilities.

At large means an animal (excluding ~~sterilized and registered~~ cats) that meets one of the following criteria:

- (1) On premises of owner: Any animal not confined to the premises of the owner by some physical means of sufficient height, strength, length, or manner of construction to preclude the animal from leaving the premises of the owner. Any animal being contained by a fence that, because of the fence's lack of height or general disrepair, cannot properly restrict the animal, shall be considered at large.
- (2) Off premises of owner: Any animal which is not physically and continually restrained by some person by means of a leash or chain of proper strength and length that precludes the animal from making unsolicited contact with any person, their clothing, their property, or their premises.
- (3) The term shall not include animals that are within the boundary of any city owned or sanctioned dog park.

Auction means any place or facility where animals are regularly bought, sold or traded, except for the facilities otherwise defined in this chapter or state law. This term does not apply to individual sales of animals by private owners.

Cat means any live or dead cat (*Felis catus*).

Cat colony means three or more cats, who gather in close proximity and who have been fed and cared for at some level but are not claimed by any one person. Cats may be socialized (friendly) or unsocialized (feral). (SEE RECOMMENDATIONS UNDER Sec. 6.017. Community Cat management)

Cats and related terms are defined as follows:

Community Cat-Any free roaming cat that may be cared for by one or more residents of the immediate area who is/are known or unknown; a community cat may or may not be socialized. Community cats who are ear tipped are sterilized and have received at least one vaccination against rabies. Community cats are exempt from any licensing, stray, abandonment and at-large provisions directed towards owned animals. A community cat may also be defined as a cat "found" outside that is brought to an animal shelter and not yet sterilized/ear tipped.

Community Cat Caregiver-A person who provides care, including food, shelter or medical care to a community cat, while not being considered the owner, custodian, harbinger, controller or keeper of a community cat or to have care or charge of a community cat. Caregivers must make every effort to ensure cats are sterilized, ear tipped and rabies vaccinated to minimize the impact on local wildlife, feed the proper quantity of food for the number of cats in appropriate food containers, discard food containers daily and feed only on their property or with the permission of another landowner (city, state or federal public property).

Community cat caregivers may redeem community cats from the shelter without proof of ownership and are exempt from any charges and/or fees.

Ear tipping means a technique for painless removing of a quarter-inch off the top of a feral cat's left ear by a licensed veterinarian while the cat is anesthetized for spay/neutering for the purpose of permanently identifying a feral cat that has been evaluated, vaccinated, and sterilized.

Feral or unsocialized cat means any cat which is too poorly socialized to be handled (and therefore must be trapped and sedated for examination) and cannot be placed into a typical pet home.

Feral cat caregiver means a person who feeds feral cats, performs trap-neuter-return, and provides long-term care and monitoring for adult feral cats that are returned.

~~Feral cat colony means three or more cats, "loosely owned," "quasi-owned," or "marginally owned" who have been fed and cared for at some level but are not claimed by any one person.~~

~~Free roaming cat means cats which are not confined to the house or an enclosure and are at large.~~

~~Managed feral cat colony means a group of feral-free-roaming cats living in close proximity together and having strong blood ties in which all cats have been sterilized and vaccinated and are provided daily food and shelter by a feral cat caregiver. The caretaker follows the most structured form of trap, vaccinate, alter, return and manage to ensure all cats are sterilized, ear tipped and rabies vaccinated ("TVARM").~~

~~Registered feral cat colony means registered at the San Marcos Animal Services and meeting all requirements of this chapter.~~

~~Stray cat means cats which are currently or recently owned which may be lost from their homes. A free roaming cat is not an indicator that the cat is lost.~~

~~Circus means a commercial variety show featuring animal acts for public entertainment.~~

~~City veterinarian means a veterinarian, licensed in the State of Texas, and employed or designated by the city to serve as its veterinarian.~~

~~Commercial establishment means establishments that engage in activities that include animal dealer, animal establishment, and animal exhibition, as those terms are defined herein.~~

~~Dangerous animal means:~~

- ~~(1) Any individual animal which, because of its physical nature or vicious propensity, would constitute a danger to human life or property; or any animal that is possessed of tendencies to attack or to injure human beings or other animals;~~
- ~~(2) An animal that commits an unprovoked attack on a human being that causes bodily injury and occurs in a place other than an enclosure in which the animal was being kept and that was reasonably certain to prevent the animal from leaving the enclosure on its own;~~
- ~~(3) An animal that commits unprovoked acts in a place other than an enclosure in which the animal was being kept and that was reasonably certain to prevent the animal from leaving the enclosure on its own, and those acts cause a person reasonably to believe that the animal will attack and cause bodily injury to that person; or,~~
- ~~(4) An animal that makes an unprovoked attack on a domestic animal or domestic fowl that causes bodily injury or death; and which occurs when such animal is at large.~~

~~Dangerous wild animal means any animal not normally considered domesticated which, because of its size, vicious nature, or other natural characteristic would constitute a danger to human life, property or domestic animals, or any animal that is restricted from ownership by any state or federal law including, but not limited to, the following animals:~~

- ~~(1) Reptiles: venomous reptiles, crocodiles or alligators;~~
- ~~(2) Birds: emus, ostriches, rheas, and any species illegal to own under federal or state law;~~
- ~~(3) Mammals: ocelots, lions, tigers, jaguars, leopards, cougars, bobcats, wolves, dingoes, coyotes, jackals, elephants, weasels, martins, minks, badgers, pandas, bears, raccoons, bats, foxes, skunks, cheetahs, servals, caracals, hyenas, baboons, chimpanzees, orangutans, gorillas or any species illegal to own under federal or state law, and any animal which is, or may be hereafter, listed as a "high risk" animal in the Texas Rabies Control Act;~~
- ~~(4) Marsupials, kangaroos, kinkajous; or,~~
- ~~(5) Any hybrid of any animal classified as dangerous wild animal.~~

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(Supp. No. 34, Update 4)

Stray means any unbranded sheep, cattle, horses or mules found running at large, or any branded sheep, cattle, horses or mules found running at large, or any swine found running at large: but it does not mean nor include any unweaned animal specified in this section that is running with its mother.

Fowl includes chickens, turkeys, pheasants, ducks, geese, pigeons and all similar domestic birds and poultry, whether kept for use or pleasure.

Government-operated facility means any facility owned or operated by a governmental entity at which animals are handled, kept or displayed.

Grooming shop means any facility where animals are bathed, clipped, plucked or otherwise groomed.

Handler means any person having immediate responsibility for or control of an animal.

Identification means any acceptable method such as microchipping, registration tag, or tattoo readily traceable to the current owner.

Impound means the placing of an animal in the city's animal services facility, or, the taking into custody of an animal for the purposes of transportation to the city's animal services facility.

Inhumane treatment of animals means any treatment of an animal prohibited by any provision of law, including federal, state and local laws, ordinance or rules.

Kennels, commercial for the purpose of this chapter only, means any establishment where a person, partnership or corporation keeps dogs or cats primarily for the purpose of boarding, breeding, buying, selling, trading, showing, or training such animals.

Livestock means or includes, regardless of age, sex or breed, horses of all equine species including, mules, donkeys and jackasses, cows consisting of all bovine species, sheep consisting of all ovine species, llamas or alpacas, goats consisting of all caprine species, and pigs consisting of all swine species.

Miniature swine means any swine that has been bred to attain a maximum shoulder height of 18 inches and a maximum weight of 90 pounds.

Microchip implant means a passive electronic device that is injected into an animal by means of a hypodermic-type syringe device. Each microchip shall contain a unique and original number that is read by an electronic scanning device for the purposes of animal identification and recovery by the animal's owners.

Microchip reader means an electronic scanner with an operating frequency that is able to detect a microchip that has been implanted in an animal and display the number of the microchip to its operator. The microchip reader shall be of a type that activates and displays the number of a microchip manufactured by multiple vendors.

Miniature goat means:

- (1) A pygmy goat, which is any goat that has been bred to attain a maximum shoulder height of 23 inches and a maximum weight of 70 pounds; or
- (2) A dwarf goat, which is any goat that has been bred to attain a maximum shoulder height of 23.5 inches and a maximum weight of 80 pounds.

Neutered means any animal, male or female, rendered incapable of breeding, or being bred.

Owner means any person, partnership, corporation, association or legal entity that harbors, shelters, keeps, controls, manages, possesses or has whole or part interest in any animal. The occupant, owner or head of household of any premises where an animal remains for 72 hours or more shall be rebuttably presumed to be the owner of such animal, unless the animal has been reported to the city animal services as a stray animal. An occupant of any premises on which a dog or cat remains or customarily returns is a person responsible for it under this chapter. If a person under the age of 17 years owns an animal subject to the provisions of this chapter, the head of the household of which such person under the age of 17 years is a member shall be the person responsible

for the animal under this chapter. Such household head may himself be under the age of 17 years and therefore subject to prosecution under this chapter. There may be more than one person responsible for an animal.

Person means an individual, corporation, animal establishment, partnership, or any other legal entity.

Pet animal means any animal that may be kept as a pet within the City of San Marcos so long, as all the required provisions of this article are met, and is not a dangerous wild animal or a wild animal, including but not limited to the following animals:

- (1) Reptiles: Any non-venomous reptile that is not protected from ownership by any federal or state law;
- (2) Birds: Any birds commonly kept as pets that are not protected from ownership by any state or federal law, or any bird kept for falconry purposes by a state and federally permitted falconer;
- (3) Fish: Any fish commonly kept as pets that are not protected from ownership by any state or federal law;
- (4) Mammals: Includes any mammal commonly kept as pets including dogs, cats, ferrets, rabbits, guinea pigs, hamsters, hedgehogs, rats, mice, chinchillas, and sugar gliders but not limited to these;
- (5) Livestock: Includes any single livestock temporarily kept as part of a bona fide school project, such as for Future Farmers of America.

Pony ride means the use of any horse, pony, mule, donkey or burro to provide rides to, or to pull wagons containing, individual s other than the animals' owners, whether gratuitously or for a fee.

Private owned animal sale means the individual sale of a pet animal by private owners to other private owners that occurs at the residence of either the seller or the buyer.

Public health administrator means the assistant director of community services—environmental health services or designee.

Public nuisance means the conduct of any owner in allowing an animal to:

- (1) Engage in conduct which establishes such animal as a "dangerous animal";
- (2) Damage, soil, defile or defecate on private property other than the owner's or on public property, unless such waste is immediately removed and properly disposed of by the owner of the animal;
- (3) Be "at large" (excluding sterilized and registered cats that are identified by some means of traceable identification);
- (4) Cause a disturbance by excessive barking or noise making, near the private residence of another or to the extent that the barking or noise disturbs the peace or quiet of any neighborhood or can be heard from within the residence of another;
- (5) Produce odors or unclean conditions sufficient to offend a person of normal sensibilities or which creates a condition conducive to the breeding of flies or other pests;
- (6) Chase vehicles, or molest, attack or interfere with other animals or persons. or is at large on public or private property (except at a decimated dog park); or
- (7) Create a condition that is dangerous to human life or health, renders the ground, the water, the air or the food a hazard or injurious to human life or health or that is offensive to the senses, or that is detrimental to public health.

Quarantine means to take into custody, place in confinement, and isolate from human beings and other animals. The quarantine period for a dog, cat, or domestic ferret for rabies observation is ten days or 240 hours from the date and time of the bite, scratch or other exposure, or as recommended by the regional veterinarian from the Texas Department of State Health Services.

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Rabies control authority means the animal services manager or other designee of the public health administrator.

Registration means a rabies certificate issued by a licensed veterinarian and an identification tag recognized by animal services from an approved issuing agent.

Rabies means an acute viral disease of persons and animals affecting the central nervous system, usually transmitted by an animal bite or saliva.

Restraint means to control an animal by physical means sufficient for that animal so that it remains on the premises of the owner or, when off the owner's premises, by means of a cage, or leash or rope under the direct control of a person of sufficient strength to control the animal. Physical confinement does not include confinement by a radio fence.

Riding school or stable means any place or facility used for the business of hiring out, boarding or giving instructions for riding upon any horse, pony, mule or donkey.

Small animal facility means any place or facility used for the business of breeding or raising rats, mice, hamsters, rabbits, minks, guinea pigs or other similar small animals for profit.

Sterilized means an animal rendered incapable of reproduction by means approved by the American Veterinary Medical Association.

Tether means to chain, tie, fasten or otherwise secure an animal to a fixed point so that it can move or range only within certain limits.

Traceable identification means a type of identification, such as a tag, microchip, or tattoo that can be readily used by an animal control officer or animal services to identify the current ownership of an animal.

Vaccination means the inoculation of an animal with a rabies vaccine that is licensed by the United States Department of Agriculture for use in that species and which is administered according to the label's directions by a veterinarian for the purpose of immunizing the animal against rabies.

Veterinarian means a veterinarian licensed to practice in the State of Texas.

Veterinary hospital means any facility operated by a licensed veterinarian for the diagnosis and treatment of animal injuries and illnesses.

Wildlife educational center means an organization that has met all of the state and federal requirements to possess wildlife for educational purposes.

Zoological park means any facility, other than a pet shop, kennel, or wildlife education center, displaying or exhibiting one or more species of non-domesticated animals, and operated by a person, partnership, corporation or governmental entity.

(Ord. No. 2008-62, § 2, 12-16-08; Ord. No. 2009-19, § 2, 3-31-09; Ord. No. 2021-39, § 2, 6-1-21)

Sec. 6.002. Fees—Exemptions.

- (a) All fees, including any fee or licenses, registration, or permits required under this chapter will be set by the city council. A schedule of fees is kept on file for public inspection in the office of the city clerk and the animal control office.
- (b) Prosecution or payment of fines under this chapter shall in no way interfere with the animal shelter's collection of fees from the person prosecuted or fined.
- (c) Exemption from fees, including licenses, may be issued for the following:
 - (1) Police or sheriffs department dogs;

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- (2) Service animals trained to work for persons with visual or auditory disabilities.
 - (d) Eligibility for fee-exempt licensing does not relieve the owner of any responsibility under other sections of this chapter.
- (Ord. No. 2008-62, § 2, 12-16-08)

Sec. 6.003. Office of animal services manager—Duties; enforcement.

- (a) The director of community services will select an animal services manager. The animal services manager will select the animal services staff members including animal control officers. The animal services staff will be under the supervision and control of the director of community services.
- (b) The animal services manager shall act as the local rabies control authority for the purpose of enforcing animal health and control laws in the State of Texas.
- (c) It shall be the duty of the animal services manager and designees to:
 - (1) Administer and enforce all state and federal laws pertaining to animals which authorize the local rabies control authority or animal control officers to enforce the same;
 - (2) Administer and enforce the animal ordinances of the city when a nuisance or health problem is caused by one or more animals;
 - (3) Supervise the animal services operations of the city; and,
 - (4) Aid the state health department in the enforcement of area quarantines.
- (d) The animal services manager, a licensed peace officer, or any animal control officer of the city shall have the authority to issue citations for any violation of this chapter and any other power or duty stated within the terms of this chapter. If the person being cited is not present, the animal control officer may send the citation to the alleged offender by registered or certified mail, return receipt requested, by depositing the same in the U.S. mail, postage prepaid.
- (e) It shall be unlawful for any person to knowingly prevent, interfere with, or obstruct the animal services manager or an animal control officer in the performance of their duties. It shall be unlawful for any person to fail to comply with any lawful order of the local rabies control authority officer or any animal control officer of the city.
- (f) The local rabies control authority, any animal control officer, or any peace officer is authorized to, including but not limited to:
 - (1) Humanely euthanize an animal which poses an imminent danger to a person or property or when a real or apparent immediate necessity exists for the destruction of the animal;
 - (2) Impound an animal which is diseased or endangers the health of a person or another animal;
 - (3) Impound any animal found to be running at large within the city; with the exception of cats who are not part of an enforcement case, injured or ill
 - (4) Humanely euthanize an impounded animal if the animal is suffering; from injury, disease, or illness;
 - (5) Humanely euthanize any animal suspected of having rabies, or which animal manifests a disposition to bite, when such animal(s) is found at large after having made a reasonable, but unsuccessful effort to capture the animal;
 - (6) Humanely euthanize any impounded dangerous animal immediately upon impoundment, unless there is reason to believe that it has an owner;

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- (7) Humanely euthanize any wild animal immediately upon impoundment, so long as such act does not violate state or federal laws;
 - (8) Humanely euthanize any nursing baby animal impounded without the mother, or where the mother cannot or refuses to provide nutritious milk, to prevent further suffering when there is no foster volunteer available;
 - (9) Humanely euthanize an animal when an owner no longer wishes responsibility for an animal or believes the animal to be in an ill or injured condition upon the owner signing a waiver, supplied by the animal shelter, allowing the animal to be immediately euthanized if appropriate;
 - (10) ~~Humanely euthanize or transfer to a humane organization in foster status any impounded animal that is to be destroyed as a result of the animal being impounded more than 72 hours during the stray hold with a contract to return the pet if the owner is found during the stray hold~~
 - (11) Euthanize a dog who cannot be safely rehabilitated and who is not community-safe. If stray, this can be done after the 72 hour hold.
- (g) In any complaint, action or proceeding brought for the enforcement of any provision of this chapter, it shall not be necessary to negate any exception, excuse, proviso, or exemption contained in this chapter; and the burden of proof of any such exception, excuse, proviso, or exemption shall be on the owner or defendant as an affirmative defense.
 - (h) The city shall be entitled to pursue all other criminal and civil remedies to which it is entitled to under the authority of federal, state, or local law.
 - (i) No person shall interfere in any manner or give false information to the local rabies control authority, local health director, the animal control officers, and other authorized employees of the city in the performance of their duties.
- (Ord. No. 2008-62, § 2, 12-18-08)

Sec. 6.004. Use of poisons.

No person shall use or otherwise cause to expose any poisonous substance, whether mixed with food or not, so that the substance is liable to be eaten by any animal. This prohibition does not apply on a person's own property to legally available rat poison mixed only with vegetable substances.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.005. Duty of person striking animal.

Any person who, as the operator of a motor vehicle, strikes any animal on a public roadway shall, as soon as practicable report the occurrence to animal services or the police department.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.006. Relation to land development code.

The keeping of any animal in accordance with this chapter shall not be construed to authorize the keeping of the animal in violation of any zoning rules or restrictions set forth in the city's land development code.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.007. Bird sanctuary.

- (a) It is unlawful for a person to intentionally trap, hunt, or shoot any wild bird or fowl, or to intentionally destroy the eggs or nests of any wild bird or fowl in the city.
- (b) It is an exception to the application of this section that the destruction of eggs or a nest occurs as an unintended consequence of an otherwise lawful activity, such as the trimming or clearing of trees or shrubbery.
- (c) It is an exception to the application of this section that the wild birds or fowl in question are destroyed after they have congregated in such numbers at a location that they are determined, by the city health department, to constitute a nuisance or public health threat.
- (d) Employees of the city, peace officers, park rangers, emergency personnel and state personnel are exempt from this section to the extent that it conflicts with their official duties.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.008. Inducement.

- (a) It shall be a violation of this chapter for any person to give away any live animal as a prize or as an inducement to enter any contest, game, raffle, or other competition or an inducement to enter a place of business or to offer such animal as an incentive to enter into any business agreement whereby the offer was for the purpose of attracting trade.
- (b) This section shall not be interpreted to restrict any animal from being offered for sale at auction, provided that such sale does not otherwise violate any other section of this chapter.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.009. Inhumane treatment of animals.

- (a) An animal control officer, or a licensed peace officer shall utilize the authority granted by federal, state and local laws to lawfully seize and impound any animal if the investigating; animal control officer or police officer has reason to believe that an animal has been, or is being cruelly treated, pending a hearing before any justice of the peace or any municipal court judge on the issues of cruelty and disposition of the animal. Seizure of the subject animal prior to receiving a warrant is hereby authorized if a delay in seizure might endanger the life or wellbeing of the animal, or if it would unreasonably prolong the suffering of the animal needing immediate attention.
- (b) Animals shall be cared for, treated, maintained, and transported in a humane manner and not in violation of any provision of law, including federal, state, and local laws, ordinances, and administrative rules.
- (c) In addition, a person commits an offense if with reckless intent:
 - (1) A person, other than a licensed veterinarian, docks an animal's tail or removes dew claws of a puppy over five days of age, or crops an animal's ears of any age;
 - (2) A person physically removes from its mother by selling, giving away, delivering, trading, or bartering any dog, cat, ferret, or rabbit less than six weeks old or any other animal that is not yet weaned, except as advised by a licensed veterinarian;
 - (3) A person dyes or colors chicks, ducks or rabbits;

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- (4) A person sells, gives away, delivers, trades or barter chickens, ducks, or rabbits within two weeks prior to Christmas or Easter;
 - (5) A person abandons or dumps any animal, or leaves an animal in a dwelling that has had no running water or electricity for a period of 24 hours or more;
 - (6) A person overdrives, overloads, drives when overloaded or overworks any animal;
 - (7) A person tortures, cruelly beats, mutilates, clubs, shoots or attempts to shoot with any air rifle, bow and arrow, slingshot, or firearm, or by any other means needlessly kills or injures any animal, wild or owned, within the city limits;
 - (8) A person forces, allows, or permits any animal to remain in its own filth;
 - (9) A person keeps, shelters or harbors any animal having a potentially life-threatening infestation of ticks, fleas, or other parasites, any other obvious life threatening illness, or injury, or any other communicable illness transmissible to animal or human without having sought and obtained proper treatment from a licensed veterinarian for such infestation or illness;
 - (10) A person causes an animal to fight another animal or person;
 - (11) A person fails to provide, at all times, their animal with adequate food and potable water, proper shelter and protection from inclement weather, and veterinary care when needed to prevent suffering;
 - (12) A person raises or kills a doe or cat for the skin or fur;
 - (13) A person mutilates any animal, whether such animal is dead or alive (medical or veterinary medical research, medical or veterinary medical necropsy, and biology class use of animals shall not be considered mutilation);
 - (14) A person attaches a collar or harness to an animal that is of an inadequate size so that it restricts the animal's growth or causes damage to the animal's skin;
 - (15) A person engages or allows another to engage in any sexual act with an animal;
 - (16) A person allows a stray animal to remain on their property without notifying the city animal services facility of such act within 24 hours;
 - (17) A person who owns or is in control of an animal permits such animal to be at large within the City of San Marcos;
 - (18) A person breeds or causes to be bred, any animal within the public view;
 - (19) A person creates, maintains, permits or causes a public nuisance, as defined in this chapter;
 - (20) A person owns, keeps, harbors, or possesses horses, cattle, or other livestock in any manner that is a violation of this chapter;
 - (21) A person fails to publish the person's animal dealer or animal establishment permit number in any advertisement offering an animal for sale.
- (d) This section shall not be interpreted to restrict the extermination of rats, mice, insects, other vermin, or any such animal deemed a nuisance by state law, through the use of traps, poisons, or other commercially available means when used in accordance with the manufacturer's directions as long as reasonable precautions are taken to ensure that no human, pet, or wild animal, other than the targeted species, comes into contact with the traps, poisons, or other means and that such use does not violate any other section of this chapter.
 - (e) This section shall not be interpreted to restrict rodeos, 4H Clubs, or FFA Club activities and operations.

(Ord. No. 2008-62, § 3, 12-18-08; Ord. No. 2009-19, § 2, 3-31-09)

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Sec. 6.010. Leaving; animal unattended in vehicle.

A person having charge or custody of an animal shall not place or confine such animal or allow such animal to be placed or confined in a motor vehicle or trailer under such conditions or for such a period of time as may endanger the health of the animal due to heat, lack of food or water, or such other circumstances as may cause injury or death of the animal. Animal control officers, or any licensed peace officer, finding an animal being held in violation of this provision may cite the owner for violating this chapter, obtain a search warrant, pursuant to state or federal law, or use reasonable force to remove an animal from a vehicle whenever it appears the animal's health or safety is, or soon will be, endangered and said neglected or endangered animal shall be impounded and held pending a hearing. It shall be the responsibility of the animal's owner to repair any damage caused by the removal of the animal from the dangerous situation by a city animal control officer or peace officer.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.011. Tethering dogs and other animals.

It shall be unlawful for any person to tie or tether a dog or other animal to a stationary object for a period of time or in a location so as to create an unhealthy situation for the animal or a potentially dangerous situation for a pedestrian as determined by the animal control officer. The terms "unhealthy situation" and "potentially dangerous situation" shall include, but not be limited to the following:

- (1) To tether any animal in such a manner as to permit the animal access upon any public right-of-way;
- (2) To tether any animal in such a manner as to cause the animal injury or pain or not to permit the animal to reach shelter, food or water or otherwise create an unsafe or unhealthy situation;
- (3) To tether any animal in such a manner as to permit the animal to leave the owner's property;
- (4) To tether any animal in an area that is not properly fenced so as to prevent any person or child from entering; the area occupied by said animal;
- (5) To tether any animal in a manner whereby the animal is subject to harassment, stings or bites from outdoor insects, or attacks by other animals;
- (6) To tether any animal with a tether that is shorter than the greater of ten feet or five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail;
- (7) To tether any animal with a tether that is not equipped with swivel ends;
- (8) To tether any animal in such a manner that does not prevent the animal from becoming entangled with any obstruction, from partially or totally jumping any fence, or from leaving part of its owner's property;
- (9) To fail to remove waste from the tethered area on a daily basis;
- (10) To tether any animal without using a properly fitted collar or harness;
- (11) To use choke-type collars to tether any animal;
- (12) To use a tether that weighs more than one-fifth of the animal's body weight; or
- (13) To allow an animal to remain tethered during a severe weather event. A severe weather event includes conditions in which: (a) the actual or effective outdoor temperature is below 32 degrees Fahrenheit; (b) a heat advisory has been issued by local or state authority or jurisdiction; or (c) a hurricane, tropical storm or tornado warning has been issued for the jurisdiction by the National Weather Service.

(Ord. No. 2008-62, § 3, 12-18-08)

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Sec. 6.012. Abatement and imminent threat; right of entry; search warrants.

- (a) Animal control officers or other law enforcement officers shall have the power to impound animals which create an animal nuisance per se for the purpose of abating a nuisance and in cases where animal control officers have reason to believe an animal has been or is being cruelly treated, has rabies or exhibits other violations of law as follows:
 - (1) On public property, in all cases;
 - (2) On private property, if:
 - a. The consent of the resident or property owner is obtained;
 - b. The officer reasonably believes there is immediate and imminent danger or peril to the public if the animal in question is not impounded; or
 - c. Authorized by appropriate courts of law.
 - (3) The officer has the right to pursue and apprehend animals running at large onto private property while enforcing the provisions of this chapter.
- (b) Any animal observed by an animal control officer or peace officer to be in immediate danger, in the officer's opinion, may be removed from such situation by the quickest and most reasonable means available. It shall be the responsibility of the animal's owner to repair any damage caused by the removal of the animal from the dangerous situation by the animal control officer or peace officer.
- (c) The health director, animal services manager, or assigned designee, may order the abatement of the conditions which are not in accordance with this chapter, other applicable state or federal regulations or laws, or which otherwise constitute a nuisance. Failure to comply with the written notice constitutes grounds for the city to obtain any relief available by law, including, but not limited to relief by injunction. Additionally, failure to comply with the written notice may subject the violator to administrative proceedings and criminal charges.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.013. Defecation by dogs on public and private property.

- (a) An owner, harbinger, or other person in possession of a dog commits an offense if he knowingly permits, or by insufficient control allows, the dog to defecate in the city on private or public property and fails to remove and dispose of any excreta the dog deposits.
- (b) An owner, harbinger, or other person in possession of a dog commits an offense if he:
 - (1) Knowingly permits the dog to enter or be present on private property located in a public place; and
 - (2) Fails to have in his possession materials or implements that, either alone or in combination with each other, can be used to immediately and in a sanitary and lawful manner both remove and dispose of any excreta the dog may deposit on the property.
- (c) It is an affirmative defense to prosecution under subsection (a) or (b) that:
 - (1) The property was owned, leased, or controlled by the owner, harbinger, or person in possession of the dog at the time it defecated;
 - (2) The dog was specifically trained to assist a person with a disability and was in possession of that disabled person at the time it defecated or was otherwise present on the property;

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- (3) The owner of the property or person in control of the property had given prior consent for the dog to defecate on the property; or
 - (4) The dog is a police canine being used in official law enforcement activities.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.014. Unabated nuisances.

- (a) A "continuing public nuisance" is defined as a public nuisance that, after notice as described in subsection (c) to the owner of an animal(s) or person in control of an animal(s), continues unabated as determined by the animal services manager.
- (b) The animal services manager, or his designee, may determine that a public nuisance exists through an investigation of any reported or perceived public nuisance, and may interview witnesses or conduct such hearings as he may determine are necessary, formally or informally. He shall make a determination based on the necessity to preserve the public health, safety and welfare of the community.
- (c) Upon such determination, the animal services manager, or designee, shall notify the animal owner or the person in control of the animal(s). This notice shall be in writing and shall contain a statement that such person has a right to appeal. The notice shall set forth the noncompliance and order the owner to abate the public nuisance described in such notice within seven days. Notice of a public nuisance shall include, but not be limited to, written notice of the existence of a public nuisance delivered by personal service, certified mail, return receipt requested, or left at the entrance to the premises where the animal(s) is harbored. A notice that is mailed is deemed received five days after it is placed in a mail receptacle of the United States Postal Service.
- (d) If such owner fails or refuses to comply with the demand for compliance in the notice within seven days of such notice or publication the animal services manager, or designee, may order the abatement of the public nuisance by one of the following means:
 - (1) Impoundment of the animal(s) that is the source of the continuing public nuisance and the adoption of the animal(s) as provided in this chapter, except that the owner, his agents or representatives, or family members may not adopt the animal(s) adjudged a continuing public nuisance;
 - (2) Impoundment and humane destruction of the animal(s) that is the source of the continuing public nuisance: or
 - (3) Exclusion from the city limits of San Marcos an animal(s) determined to be a continuing public nuisance.
- (e) An owner or person in control of the animal(s), not later than seven days after the date such person is notified that an animal is a continuing public nuisance, may appeal the determination of the animal services manager to the San Marcos Municipal Court of Record. Upon receiving an appeal, the municipal court shall hold a hearing. Based upon the record evidence of such hearing, the court shall make a final finding.
- (f) The owner or person in control of the animal(s) determined to be a continuing public nuisance shall remove such animal(s) from the city within 48 hours of an unsuccessful appeal. The failure to remove such animal(s) shall be an offense and each day thereafter that such person fails to remove such animal(s) shall constitute a separate offense. If the owner or person in control of such animal(s) fails to remove such animal(s) as provided for by the order of the animal services manager or the court, such animal(s) may be impounded and put up for adoption in accordance with subsection (d) of this section or humanely destroyed.
- (g) The owner or person in control of such animal(s) must report the disposition and exact address or relocation of such animal(s) to the animal services manager in writing within ten days after the expiration date for

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removal of such animal(s) from the city. Failure to report the disposition and address of such animal is an offense, and each day thereafter that such information is not provided shall constitute a separate offense.

- (h) The animal services manager, or a designee, shall be authorized, after due process, to obtain a search and seizure warrant for the purposes of enforcing this section.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.015. Filing of false claims or reports.

- (a) A person commits an offense if he knowingly initiates, communicates, or circulates a claim of ownership for an animal with an animal control officer that he knows is false or baseless.
- (b) A person commits an offense if he knowingly initiates, communicates, or circulates a report of a violation of city ordinance or state or federal law to an animal control officer he knows is false or baseless.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.016. Number of animals at residences, multi-pet permit.

- (a) Except as provided by this section, no residence within the city shall harbor more than four adult dogs, and no more than seven total animals (the number of total animals does not include fish or birds other than fowl). A residence within the city shall harbor no more than one litter of puppies or one litter of kittens.
- (b) Any person desiring to keep more than four adult dogs, seven animals, or more than one litter of puppies or kittens at premises occupied by them shall apply to the animal services manager for a multi-pet permit. The applicant shall pay an application fee at the time of filing.
- (c) The animal services manager is authorized to issue such a permit under the following conditions:
- (1) No inspection required: If an applicant provides the animal services manager with information concerning the maximum number of animals to be kept at any one time at such premises and record search indicates that no enforcement action for any violation of chapter 6 of the Code of Ordinances has been necessary during the preceding 24 months, a permit may be issued by mail without prior inspection.
 - (2) Inspection required: If an applicant provides the animal services manager with information concerning the maximum number of animals to be kept at any one time at such premises and a record search indicates that enforcement action for violations of chapter 6 of the Code of Ordinances has been necessary within the preceding 24 months, a permit may be issued after an inspection of the premises to determine compliance with the animal services regulations. A permit shall not be issued if it is found that the animals cannot be maintained without creating noise or odor nuisances, otherwise being detrimental to the public health, safety and welfare, or in a healthy or sanitary environment.
- (d) Such permit may be revoked by the animal services manager for cause, including but not limited to, violations of the provisions of chapter 6 of the Code of Ordinances or the inability of the permit holder to keep the animals without creating noise or odor nuisances, otherwise being detrimental to the public health, safety and welfare, or in a healthy or sanitary environment.
- (e) All multi-pet permits issued under this section shall be valid indefinitely, unless the animal services manager revokes the permit. When issued, the permit shall remain the sole property of the city and shall be valid only as to the applicant and location for which it was originally issued. The permit may not be sold or transferred, voluntarily or involuntarily, to any other person or entity.

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- (f) ~~Any person either denied a multi-pet permit, or who has had their permit revoked, may file an appeal with the municipal court of record. Such appeal must be made in writing within ten days of receiving written notice from the animal services manager of the permit denial or revocation. If no appeal request within the ten-day period, the denial or revocation of the permit becomes final. Upon receiving an appeal, the municipal court of record shall hold a hearing at a time and place of their designation. Based upon the recorded evidence of such hearing, the municipal court of record shall make a final finding.~~

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.017. Feral-cat Community Cat management.

- (a) **The animal services manager is responsible for maintaining the registry of approved registered feral cat colony locations. Animal services manager will assist registered caregivers in the management of registered feral colonies.**

- (ab) ~~A feral cat colony can be registered when the animal services manager determines that a V~~volunteer caregiver(s) can must meet the following minimum requirements:

- (1) Regular feeding will be maintained throughout the year;
 - (2) Adult cats and kittens eight weeks of age will be neutered and vaccinated;
 - (3) Every attempt will be made to remove kittens from the colony before eight weeks of age for domestication and placement;
 - ~~(4) Stray cats will be released or placed into the custody of animal services;~~
 - (5) Sick or injured cats will be removed from the colony for immediate veterinary care of humane euthanasia;
 - ~~(6) Cats will be earmarked and micro-chipped for recognition as members of a registered feral cat colony;~~
 - ~~(7) Responsibility for managed feral cat colonies can be transferred, by written document, to another feral cat caregiver with the animal services manager's approval only; tipped~~
 - (8) Location of a feral community cat colony requires the approval of property owner or owners and the animal services manager;
 - ~~(9) Relocation of a feral cat colony requires the approval of property owners and the animal services manager;~~
 - (10) Cat caretaker assumes all responsibility of humane trapping, maintenance, and management of their approved registered colony; and,
 - ~~(11) Records of sterilization, vaccination, micro-chipping, and animal identification will be provided to animal services upon request. Cats must be fed in containers and removed after one hour so as not to attract wildlife or litter.~~
- (c) ~~The animal services manager is authorized to issue citations, revoke registered cat colony permission, or issue citations to a feral cat caregivers or obtain a search and seizure warrant if there is probable cause to believe any requirements of this section are violated.~~

(Ord. No. 2008-62, § 3, 12-18-08)

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Sec. 6.018. Donations fund established.

The city shall create a special revenue fund, labeled "donations fund", for animal services purposes to account for the collection and spending of donations to the city. This fund will provide an accurate accounting of the sources and uses of these monies to demonstrate, to the donor that the funds are used for their intended purposes. Expenditures of these monies will require city council approval through the normal budgeting process.

(Ord. No. 2008-62, § 3, 12-18-08)

Secs. 6.019—6.029. Reserved.

ARTICLE 2. IMPOUNDMENT

Sec. 6.030. Impoundment and redemption.

(a) *Impoundment:*

- (1) It is the duty of an animal control officer to capture and impound such animals as are running at large or which are required to be impounded pursuant to other laws or ordinances or to protect public safety. Any officer or citizen of the city is authorized to take up and deliver in a humane manner to the animal services facility any animal that may be found running at large in the city with the exception of visually healthy cats.
- (2) The animal control officer shall impound and quarantine all dogs, cats and other animals exposed to, suspected to be exposed to, or infected with rabies, whether the dog, cat or other animal to be impounded is at large, on a leash, or confined to its owner's premises or whether it is currently vaccinated. Any animal which a licensed veterinarian suspects of having rabies shall be humanely euthanized. Any animal exposed to a rabid animal shall be humanely euthanized or quarantined at the owner's expense for a period mandated by the Texas Department of State Health Services Zoonosis Control Division, not less than ten days from the date of last known exposure.
- (3) The animal control officer shall impound an animal at the request of a peace officer when the owner of the animal has been arrested, hospitalized, is missing, or has died, and there is no person present, 18 years of age or older, who will assume the legal responsibility of providing food, water and shelter for such animal.

(b) *Identification of impounded animals.*

- (1) The city enforcement agent, or his deputies, upon receiving an animal for impoundment, shall make a complete registry, including the species, breed, color and sex of such animal, whether it has traceable identification, and the time and place of taking custody. If the animal has traceable identification, he shall enter the name and address of the veterinary clinic, year, the number of the registration tag, and any other pertinent information. When kennel space allows, animals with traceable identification shall be kept separate from animals that do not have identification. All animals impounded shall be scanned with a microchip reader.
- (2) If, by registration tag or microchip, the owner of an impounded animal can be identified, the city animal control officer shall, as soon as possible, notify the owner by telephone or mail; however, it is the responsibility of the owner to visit the shelter before the expiration of the designated holding period to reclaim lost pets.

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- (3) Impounded animals with no means of traceable identification shall be kept for not less than three days, unless earlier reclaimed by the owner under acceptable conditions or earlier euthanized as allowed by this chapter. It is the responsibility of the owner to visit the shelter before the expiration of the designated holding period to reclaim lost pets.
- (4) Animals with any type of traceable identification shall be kept for not more than five business days, or not less than three days from the time the owner is notified of their animal being impounded, whichever is the shorter time period, unless earlier reclaimed by the owner under acceptable conditions or earlier euthanized as allowed by the chapter. If an animal has a tag that does not list the owner's phone number or address, and the person or business that is in possession of the owner's contact information will not release it to the animal control officer, then for the purposes of this section it shall be the responsibility of that person or business to notify the owner of the animal being impounded, and the animal shall be held for three days after the animal control officer contacts the person or business in possession of the owner's contact information. It is the responsibility of the owner to visit the shelter before the expiration of the designated holding period to reclaim lost pets.
- (5) Reserved.
- (c) *Retention of impounded animals.*
- (1) An animal impounded at the request of a peace officer as required by this chapter shall be kept for not less than five business days unless earlier reclaimed by the owner under acceptable conditions or earlier euthanized as allowed by the chapter. It is the responsibility of the owner to visit the shelter before the expiration of the designated holding period to reclaim such pets.
- (2) An impoundment period is not required for an animal voluntarily released to the animal control officer by its owner.
- (3) Cats without identification are not subject to a stray hold period.
- (d) *Redemption of impounded animals.*
- (1) Any owner of an animal that has been impounded under this chapter who wishes to have it returned to him shall personally visit the animal services facility where it is impounded. The animal control officer shall return the animal if the owner can provide sufficient proof of being the animal's owner and if such release will not impair the safety of the public or the animal. The owner of the animal must pay any and all fees assessed in accordance with the city's fee schedule, must agree to abide by all of the requirements of this chapter. It is the responsibility of the owner to visit the shelter before the expiration of the designated holding period to reclaim lost pets.
- (2) Any person whose pet has been impounded for abuse or neglect or has been impounded more than two times for running at large will be required to attend the animal service's responsible owner program before the animal is returned. Completion of the responsible ownership program may be used as a requirement to have a citation for violation of this chapter dismissed by deferred adjudication.
- (3) If an animal that requires a permit or registration impounded by the animal control officer for violating this chapter and the owner cannot prove that he is in possession of all required permit(s) or registration(s), the owner must meet all requirements of the required permit(s) or registration(s) and must purchase said permit(s) or registration(s) before the animal may be released from the animal services facility.
- (4) If an animal that requires a rabies vaccination is impounded by the animal control officer for violating this chapter and the owner cannot prove that the animal has a current rabies vaccination, a citation for failing to vaccinate will be issued. The owner shall then have five days to provide proof of obtaining a current rabies vaccination to the animal control officer or else he shall be cited again for violation of this chapter. Each subsequent day that passes after the five-day period shall be considered a separate

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offense. For the purposes of this section, a rabies tag alone is not sufficient proof of an animal's current rabies vaccination.

- (5) If an animal is impounded for the second time by an animal control officer for violating this chapter and has no other form of identification on it and the owner cannot prove that the animal has been previously microchipped, then the owner must purchase a microchip at the city's cost before the animal may be released from the animal services facility. The identification number provided by the microchip, shall be maintained on file at the animal services center or with a nationally recognized registry, for future identification purposes.
- (6) If an animal is impounded for running at large, for a second time, the owner must have the animal neutered as a further requirement for return. The procedures for returning and neutering such animal will be the same as those set forth in section 6.031 for adoption of an animal.
- (7) An owner whose animal is impounded for running at large shall remain liable for all fees whether the owner claims the animal or chooses to abandon the animal at the shelter.

(8) For a dog or cat impounded for the first time and the owner wishes to reclaim, a financial incentive to sterilize, rabies vaccinate, license and microchip should be offered to the owner in lieu of fees and fines.

(9) There is no fee or fine for reclaiming community cats.

(Ord. No. 2008-62, § 4, 12-18-08; Ord. No. 2010-10, § 1, 3-2-10)

Sec. 6.031. Disposition of animals.

- (a) The animal services manager may dispose of impounded animals after the expiration of any required impoundment period by any of the following methods:
 - (1) Adoption:
 - a. The animal service manager, or designee, shall be authorized to place for adoption dogs or cats impounded by the city under the following conditions:
 - (i) The animal services manager, or designee, shall determine whether a dog or cat is healthy enough for adoption and if its health and age are adequate for vaccination. However, such decision shall not constitute a warranty of the health or age of the animal.
 - (ii) There will be an adoption fee for all dogs and cats at an amount set by the San Marcos City Council. The fee will include the cost of sterilization, rabies vaccination, blood test, implantation of a microchip, and city registration. Adoption fees will be under the purview of the animal service manager and may be waived to encourage a shorter length of stay in the shelter.
 - (iii) All animals adopted from the animal services facility shall be implanted with a microchip, vaccinated against rabies, and sterilized before ownership of the animal is transferred to the adopter. If, in the opinion of a licensed veterinarian, there is a legitimate health risk justifying the delay of this surgery, the person adopting the animal shall sign a written agreement stating that they will have the animal sterilized. A person who signs a sterilization agreement commits an offense if he fails to have the animal sterilized on or before the sterilization completion date stated in the agreement. For the purposes of this section, a legitimate health risk cannot be based solely on the animal's age.

(iv) If there is a delay in the availability of a spay/neuter appointment, the pet may leave the shelter and be transferred to the new adopter in foster status (Foster-to-Adopt) with a spay/neuter agreement.

- b. If an adopted animal dies on or before the sterilization completion date, the adopting person must provide written documentation to the animal services manager that the animal is deceased.
 - c. If an adopted animal is lost, stolen, or transferred to another owner before the sterilization date, the adopting person must provide written documentation to the animal services manager stating that the animal is lost or stolen and a police report verifying the report of theft, or the identity of the new owner if transferred. The letter shall be delivered not later than the seventh day after the date of the animal's disappearance and shall describe the circumstances surrounding the disappearance and the date of disappearance.
 - d. An animal control officer may reclaim an adopted animal if the animal services manager has not received confirmation of the sterilization as required.
- (2) The animal services manager may offer the animal to an animal welfare group that has a signed transfer agreement for dogs and cats that is on file with the city animal services facility provided that the group sterilizes and microchips the animal prior to placing it into an adoptive home or as in (iv) above;
 - (3) The animal services manager may temporarily place the animal in a foster home that has a signed foster agreement for dog and cats that is on file with the city animal services facility;
 - (4) An animal control officer may humanely euthanize the animal by methods approved by the American Veterinary Medical Association or the Texas Department of State Health Services.
- (b) The choice of which of these options to use shall be made at the sole discretion of the animal services manager unless otherwise mandated by a court order.
 - (c) Any impounded registered or unregistered animal which appears to be suffering from serious injury or disease and which is in great pain and suffering and probably will not recover or which appears to have an infectious disease which is a danger to humans or to other animals in the opinion of the animal services manager or which, due to its extremely violent nature, poses a substantial risk of bodily harm to the safety of animal services staff, may be humanely euthanized at any time during its holding period by the animal control officer. In the event such an animal is wearing an identification tag on its collar or harness, the animal control officer shall attempt to notify the owner by telephone before taking action.
 - (d) It shall be an affirmative defense to prosecution of the owner if he or she can show that, at the time of its impoundment, the animal that was at large due to a major natural disaster, fire, criminal or negligent acts of a third party who was not residing at the animal owner's residence.

In such event, the owner shall only be subject ~~only~~ to the provisions of this chapter that require a current rabies vaccination and city registration. An owner's claim of a fire or the criminal or negligent acts of a third party must be proven in one or more of the following manners:

- (1) A certified copy of a city police or fire report verifying the incident: or
 - (2) The affidavit of city police or fire personnel with direct knowledge of the incident.
- (e) It shall be unlawful for a person to fail or refuse to deliver an unregistered or unvaccinated animal to a city enforcement agent or police officer upon demand for impounding.

(Ord. No. 2008-62, § 3, 12-18-08)

Secs. 6.032—6.039. Reserved.

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ARTICLE 3. RABIES AND ZOONOSIS CONTROL AND CITY REGISTRATION

Sec. 6.041. State regulations adopted.

The City of San Marcos hereby adopts by reference the Texas State Rabies Control Act, as amended, and the standards established by the appropriate state agency or rule-making board as minimum standards for rabies control and quarantine provisions within the City of San Marcos. In addition thereto, all of the rabies control provisions of this chapter, which are adopted pursuant to the Texas Health and Safety Code, shall have application in the City of San Marcos.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.042. Report of bite cases.

- (a) It shall be the duty of every physician or other practitioner to report to the animal services department the names and addresses of persons treated for bites inflicted by a mammal, together with such other information as will be helpful in rabies control.
- (b) It shall be the duty of every person owning or having custody of a mammal, which has bitten a human being, to report the same to the animal services department.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.043. Quarantine.

- (a) A person commits an offense if the person fails or refuses to quarantine or present for quarantine or testing, an animal that is suspected of being involved in a bite. A person may be issued a citation for non-compliance or violating this provision. The animal services manager shall be authorized to obtain a search and seizure warrant if there is reason to believe any requirements of this section are violated.
- (b) Should a potential outbreak of rabies within the city be suspected and the danger to the public safety from rabid animals be reasonably imminent, the health director is hereby authorized to issue a quarantine proclamation, ordering persons owning, keeping, or harboring dogs, cats or other mammals to muzzle the same or confine them for such time as may be specified in such quarantine proclamation. Upon the publication of such proclamation by local newspapers, persons owning or harboring such animals shall confine them to premises unless they are effectively muzzled and under the control of an adult person by leash, cord, chain, or rope. Animals found at large in violation of this subsection may be destroyed by an officer of the city if such officer is unable with reasonable effort to apprehend such animals for impoundment.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.044. Registration required.

- (a) It is a violation of this chapter if any person owning, keeping, harboring or having custody of a dog or cat over the age of four months within the City of San Marcos does not register such animal as provided herein. Police dogs or assistance animals shall be exempt from the identification/registration fee; however they must be in

compliance with all other provisions of this chapter. This section does not apply to animals temporarily within the city limits for a period not to exceed 14 days.

- (b) Reserved.
 - (c) Reserved.
 - (d) Reserved.
 - (e) All dogs and cats four months of age or older must wear traceable identification.
 - (f) Any owner who fails to obtain a city animal registration shall be deemed guilty of a misdemeanor.
 - (g) No person may use a city registration, microchip, tag, or rabies certificate on an animal other than for which it was issued.
 - (h) City registration shall be subject to annual renewal due on each anniversary date of the animal's first registration with the city.
 - (i) Rabies vaccination certificates will be valid for either one year or three years from the date of vaccination as determined by the veterinarian that provided the vaccination. In order to be registered with the city each animal to be registered must have a valid rabies certificate.
- (Ord. No. 2008-62, § 3, 12-18-08; Ord. No. 2009-19, § 1, 3-31-09)

Sec. 6.045. Confidentiality of certain information in dog, and cat registry.

The city shall comply with all state laws regarding the confidentiality of information in the dog and cat registry.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.046. Rabies clinics.

The animal services manager may sponsor rabies vaccination clinics. In response to a rabies outbreak or some other public health threat, the animal services manager or public health director may authorize rabies vaccination clinics in the interest of protecting public health.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.047. Veterinarians required to report.

It shall be the duty of every licensed veterinarian to report to the animal services department their diagnosis of any animal observed as a rabies suspect. Any licensed veterinarian who diagnoses, examines, or treats any animal diagnosed to have, or suspected to have, anthrax, avian influenza, brucellosis, campylobacteriosis, Escherichia coli 01 57:H7, hantavirus, leptospirosis, Lyme Disease, monkeypox, plaque, Q-fever, rabies, Rocky Mountain Spotted Fever, Salmonellosis, Tularemia, West Nile or any other zoonotic encephalitis, or other unusual zoonotic diseases transmissible to humans, shall immediately report their findings to the City of San Marcos's Public Health Administrator.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.048. Animal assistance program.

- (a) The department shall establish and use an animal assistance program to establish and implement an animal population control program pursuant to this statute. The purpose of this program shall be to reduce the population of unwanted and stray dogs and cats by encouraging the owners of dogs and cats to have them sterilized, thereby reducing, potential threats to public health and safety.
- (b) If sufficient budgeted funds exist or are so allocated, any resident of the City of San Marcos, who owns a dog or cat and who is eligible to receive any type of financial assistance from the government due to the owner's lack of income may participate.
- (c) The animal services manager, with permission from the public health director, may allow members of the general public to participate in this program for limited times or for special promotions. The program's first priority shall always be to assist low-income pet owners.
- (d) It shall be a violation of this chapter for any person to knowingly falsify proof of eligibility for, or participate in any program under this chapter, or to furnish any licensed veterinarian with inaccurate information concerning the ownership of an animal submitted for a sterilization procedure, or to furnish an animal control officer with false information concerning an animal sterilization fee schedule or an animal sterilization certificate submitted pursuant to this section, or to otherwise violate any provision of this section.
- (e) The animal services manager, with the approval of the public health director, shall adopt rules relative to the format and content of all forms required under this chapter, proof of eligibility, administration of the program, and any other matter necessary for the administration of this program.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.049. Veterinarian participation.

- (a) Any veterinarian licensed in this state may participate in the animal assistance program or any other programs established under this chapter or by animal services. Only chemical or surgical procedures approved by the American Veterinary Medical Association may be employed for sterilization.
- (b) Veterinarians who choose to participate in any program shall sterilize, provide an anti-rabies vaccination, and microchip each animal. The city shall reimburse participating veterinarians, to the extent funds are available, for each rabies vaccination and animal sterilization procedure performed and will waive the fee for the microchip registration. To receive this reimbursement, the veterinarian shall submit an animal sterilization certificate which shall be signed by the veterinarian and the owner of the animal and any other documentation deemed necessary by the animal services manager in accordance with this chapter.

(Ord. No. 2008-62, § 3, 12-18-08)

Secs. 6.050—6.059. Reserved.

ARTICLE 4. ANIMAL ESTABLISHMENTS

Sec. 6.060. Standards for animal establishments.

All animal establishments within the city shall be constructed and operate in conformance to the General Design Standards, Specifications, and Operating Procedures for Animal Establishments promulgated by the City of

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San Marcos Department of Environmental Health, which rules are adopted hereby and made a part of this chapter by reference. A copy of such rules shall be placed on file with the city secretary and a copy shall be maintained by the city health department, which copies shall be made available for inspection by members of the public during the normal business hours of the offices in which they are maintained. In the event of a conflict between such rules and an ordinance of the City of San Marcos or state law then the ordinance or state law shall prevail over the rules.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.061. Animal exhibitions.

- (a) All animal exhibitions, except those held at the county exhibition facilities, shall, in addition to other requirements of this chapter, comply with the minimum standards of this chapter. All of the exhibition facilities shall be subject to inspection by the animal service manager, or his designee, upon his request during reasonable hours. Exhibitions held at the county exhibition facilities shall, at a minimum, abide by all existing county rules and regulations. All animal control officers shall have the authority to enforce all applicable rules and regulations as such apply to the county exhibition facilities.
- (b) The presenter of an animal exhibition must contact San Marcos Animal Services at least seven days before the performance or display and provide dates, times, and exact location of each performance or display.
- (c) It shall be a violation for any person who owns, manages, or represents an animal exhibition that requires a permit or registration to refuse, upon request by the department, to make his/her animal(s), premises, facilities, equipment, and any necessary registration(s) or permit(s) available for inspection for the purpose of ascertaining compliance with the provisions of this chapter. All animal exhibitions must be compliance with all applicable state and federal regulations.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.062. Wildlife educational centers.

- (a) All wildlife educational centers, as defined herein, shall be exempt from city regulations so long as they comply with minimum federal and state regulations.
- (b) It shall be a violation for any wildlife educational center to refuse, upon request by the department, to make his/her animal(s), premises, facilities, equipment, and any necessary registration(s) or permit(s) available for inspection during the establishment's regular business hours or at any other reasonable hour for the purpose of ascertaining compliance with the provisions of this chapter.
- (c) Failure to meet these standards or violating this chapter in any other way shall be grounds for the issuance of a citation subjecting the owner to penalties provided in this chapter.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.063. Animal establishments and animal dealers.

- (a) All animal establishments and animal dealers, as defined herein, shall, in addition to the other requirements of this chapter, comply with the minimum standards of this section. Persons wishing to operate an animal establishment or to become an animal dealer within the City of San Marcos must apply in writing to the animal services manager who will issue a permit if all of the state and federal requirements are met.

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- (b) It shall be a violation for any business or person to sell, offer for sale, give away, offer to give away, or otherwise transfer ownership of any animal without first obtaining an animal establishment or animal dealer permit, unless such activity is authorized by some other section of this chapter.
 - (c) It shall be a violation for any animal establishment or animal dealer to refuse, upon request by the animal services manager, or his designee, to make his/her animal(s), premises, facilities, equipment, and any necessary registration(s) or permit(s) available for inspection during the establishment's regular business hours or at any other reasonable hour for the purpose of ascertaining compliance with the provisions of this chapter.
 - (d) Failure to meet these standards, or violating this chapter in any other way, shall be grounds for the issuance of a citation subjecting the owner to penalties provided in this chapter, or revocation of the owner's animal establishment or animal dealer permit at the animal services manager's discretion.
 - (e) All advertisements for the sale of animals shall include publication of the animal establishment's or animal dealer's permit number.
 - (f) All animal dealers who are breeding an animal for the sale or trade of offspring shall have the breeding female(s) certified as healthy by a licensed veterinarian prior to the sale of any of that animal's offspring.
- (Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.064. Private animal sales.

It shall be a violation for any person to offer, sell, trade, barter, lease, rent, give away, or display any live animal, on any roadside, public right-of-way, commercial parking lot, or any flea market. This provision does not prohibit the sale or purchase of animals from a person's private residence.

(Ord. No. 2008-62, § 3, 12-18-08; Ord. No. 2009-19, § 1, 3-31-09; Ord. No. 2010-10, § 1, 3-2-10)

Secs. 6.065—6.069. Reserved.

ARTICLE 5. OTHER ANIMALS

Sec. 6.070. Complaint about a dangerous animal.

- (a) Upon receipt of a written complaint by any person, animal control officer, or other law enforcement officer charging that a particular animal is a dangerous animal, the public health director or his designee shall initiate proceedings with the municipal court of record to conduct a hearing to determine whether such animal is dangerous; unless the matter is resolved by agreement of all parties prior to such hearing. Such written complaints shall contain at least the following information:
 - (1) Name, address and telephone number of complainants and witnesses;
 - (2) A brief description of the incident or incidents which cause the complainant to believe such animal is a dangerous animal, including date, time and location;
 - (3) A description of the animal and the name, address and telephone number of the owner of the animal, if known; and
 - (4) Any other facts that the complainant believes to be important.

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- (b) A hearing to determine if an animal is a dangerous animal shall be conducted within 15 days after receipt of the complaint, impoundment, or seizure of the animal, whichever occurs later, unless continued for good cause. Any animal awaiting such hearing which was impounded for being at large, was at-large when the incident that causes the dangerous animal complaint to be filed occurred, or which has bitten or scratched any other person or animal, shall be boarded at the owner's expense at the animal services facility or any other state approved quarantine facility pending the outcome of the hearing and determination of whether such animal is a dangerous animal.
- (c) If the animal is quarantined at a facility other than the animal services facility, the facility shall be found to be in violation of this chapter if the animal is released to any person, lost, stolen, or otherwise not able to be accounted for unless the quarantine facility first obtains written permission from the animal services manager to release the animal.
- (d) Notice of hearing shall be provided by the public health director or his designee to the owner of the animal or by the clerk of the municipal court, by certified mail, return receipt requested, and to the complainant by regular mail. At a hearing all parties shall be given opportunity to present evidence on the issue of whether the animal is dangerous.
- (e) Upon conclusion of a hearing to determine if an animal is a dangerous animal, if the court finds that the animal is not dangerous it shall be promptly returned to its owner's custody after all impound and board fees have been paid. If the court finds that the animal is a dangerous animal the court shall order that the owner comply with one or more of the following requirements:
- (1) Removal of the dangerous animal from within the city limits. In which case, the owner must provide, in writing, the destination address of where the animal is to reside and proof that the owner has alerted the agency responsible for animal services in that area to the animal services manager prior to the animal being released from the animal services facility; or
 - (2) Humane euthanasia of the dangerous animal; or
 - (3) Registration and compliance with all of the following requirements, at the owner's expense, before the animal is released from the animal services facility or other state approved quarantine facility.
 - i. Obtaining liability insurance coverage or showing financial responsibility in an amount of at least \$250,000.00 to cover damages resulting from an attack by the dangerous animal causing bodily injury to a person or for damages to any person's property resulting from the keeping of such dangerous animal. A certificate of insurance or other evidence of meeting the above requirements shall be filed with the animal services director;
 - ii. Registering with the City of San Marcos by providing the name and address of the owner; the breed, age, sex, color and any other identifying marks of the animal; the location where the animal is to be kept if it is not at the address of the owner; and two color photographs that clearly identify the dangerous animal;
 - iii. Having the animal sterilized;
 - iv. Constructing a cage, pen or enclosure for the dangerous animal that has secure sides; a secure top attached to the sides; and a secure bottom which is either attached to the sides or else the sides of the structure must be embedded in the ground no less than two feet. The pen or enclosure must be completely encircled by a fence constructed in such a manner as to prevent a person or child from being able to reach the animal's pen or enclosure;
 - v. Not allowing the animal to go outside of its cage, pen or enclosure unless the animal is under physical restraint. No person shall permit a dangerous animal to be kept outside of its cage, pen or enclosure on a chain, rope or other type of leash unless a person is in physical control of the chain, rope or leash and the person is of competent strength to control the animal at all times.

Dangerous animals shall not be tethered or otherwise leashed to inanimate objects, such as trees, posts, buildings, etc. All dangerous animals outside their cage, pen or enclosure must be securely fitted with a muzzle that will not cause injury to the animal nor interfere with its vision or respiration but shall prevent the animal from biting other animals or human beings;

- vi. Posting signs giving notice of a dangerous animal in the area or on the premises in which such animal is confined. Such signs shall be conspicuously posted at both the front and rear property entrances and shall bear letters not less than two inches high, stating

"DANGEROUS ANIMAL, ON PREMISES."

Such signs shall also display a symbol that is understandable by small children, that warns of the presence of a dangerous animal;

- vii. Providing the animal with a fluorescent yellow collar visible at 50 feet in normal daylight and attaching a fluorescent orange tag provided by the animal services division to the collar that is worn at all times so that the animal can be easily identified.
 - viii. Implanting a microchip into the animal and registering it for life with the city's animal services division and a recognized national registry; and
 - ix. Paying the appropriate dangerous animal permit fee annually.
- (f) Any animal that is deemed a dangerous animal that was not previously impounded or otherwise in the possession of the animal services facility or any other state approved quarantine facility, shall immediately be impounded and boarded at the owner's expense until such time as the owner complies with all of the required conditions as set forth by the court's ruling. The animal shall be held at the owner's expense pending the outcome of any appeal. It shall be a violation of this section for the owner to refuse to turn the animal over as required and for the purposes of enforcement; each day for each animal in question shall be considered a separate offense.
 - (g) The owner shall have 15 days from the declaration of the animal as dangerous to comply with all of the required conditions as set forth by this chapter. If the owner fails to meet all of the requirements, the animal may be humanely euthanized on the 16th day by an animal control officer or a licensed veterinarian.
 - (h) In the event that a registered dangerous animal escapes its cage, pen or enclosure or attacks a human being or another animal, the owner of the dangerous animal shall immediately notify the animal services division. For the purposes of this chapter, immediately shall mean within 30 minutes of the owner becoming aware of the escape or attacks.
 - (i) In the event that a registered dangerous animal dies, the owner must present the body of the animal to the city enforcement agent or a licensed veterinarian for verification by microchip identification before disposal of its body.
 - (j) Prior to transferring ownership in any way or moving a registered dangerous animal, either inside or outside the city limits, the owner must obtain, in writing, permission from the animal services manager to transfer ownership or move the animal. If ownership of the animal is being transferred, the new owner will be required to comply with all provisions of this chapter before the animal can be moved from the previous owner's custody. If the animal is being moved from the city limits, the owner must provide, in writing, to the animal services manager, the destination address of where the animal is to be moved to and proof that the owner has alerted the agency responsible for animal services in that area.
 - (k) In the event that any owner of an animal declared to be dangerous violates any part of the court's order, the animal may be immediately seized and impounded by an animal control officer. In addition, the animal shall be seized immediately if the animal bites, injures, or attacks a human being or another animal. Any animal already declared to be dangerous which is impounded due to any violation of this chapter or seized for

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causing injury to a human being or another animal shall immediately become the property of the City of San Marcos and shall not continue to be a registered dangerous animal.

- (l) If the dangerous animal makes an unprovoked attack on a person or another animal outside the animal's enclosure and causes bodily injury to the person or other animal, the owner of the dangerous animal will be charged with a misdemeanor, unless the attack causes serious bodily injury or death, in which event the offense is a felony.
- (m) If an owner of a dangerous animal is found guilty of an offense under this section, the public health director or his designee may order the dangerous animal be humanely euthanized by an animal control officer or a licensed veterinarian.
- (n) No animal shall be declared a dangerous animal if the threat, injury or damage caused by the animal was the result of a willful trespass upon another's property, or the person injured was tormenting, abusing or assaulting the animal or its owner, or was committing or attempting to commit a crime at the time of injury.
- (o) Orders of the municipal court pertaining to dangerous animals may be appealed to the Hays County Court by filing a written notice of appeal within ten days with the municipal court clerk, and by following all of the procedures set forth in chapter 55 of the San Marcos Code of Ordinances. During the pendency of such appeal, the order of the public health director shall be suspended, and the animal shall remain impounded at the owner's expense at the animal services facility or other state approved quarantine facility for observation. If a proper appeal is not filed and perfected the municipal court's order shall be a final order.
- (p) It shall be a violation for any owner of a permitted dangerous animal to refuse, upon request by the department, to make his/her animal(s), premises, facilities, equipment, and any necessary permit(s) available for inspection for the purpose of ascertaining compliance with the provisions of this chapter.
- (q) The owner of an animal that has been determined to be dangerous by another jurisdiction is prohibited from bringing such animal into the city limits.
- (r) The animal services manager shall be authorized to obtain a search and seizure warrant if there is reason to believe any requirements of this section are being violated.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.071. Keeping of dangerous wild animals.

- (a) It shall be unlawful to keep any wild animal within the city limits of San Marcos, with the following exceptions:
 - (1) If a person and his or her facility housing such dangerous wild animal(s) has complied with all applicable federal, state and local laws and regulations, including, but not limited to, the acquisition and retention of all applicable permits, prior to final adoption of this chapter, said person may retain dangerous wild animals(s) in the above described facility in compliance with all federal, state and local laws, including, but not limited to Chapter 822 of the Texas Health and Safety Code, as amended;
 - (2) A governmental agency or entity acting in an official capacity;
 - (3) A government-operated zoological park;
 - (4) A permitted wildlife educational center, animal exhibitions with valid state or federal permits; or
 - (5) A holder of an animal dealer or animal establishment with a wild animal permit. The possessor of any dangerous wild animal shall have all applicable state and federal permits to possess the species in question.

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(Supp. No. 34, Update 4)

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- (b) Animal establishments or animal dealers who hold a dangerous wild animals permit shall make written application to the animal services manager to permanently keep each dangerous wild animal in their possession. The application must include the species and location of the animal, at least two pictures that clearly identify the animal, and proof that the establishment, center, or person is in possession of the necessary state and federal permit(s) to possess such species.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.072. Sale of wild animals.

- (a) It shall be a violation for any person to sell, offer to sell, give away, offer to give away, or otherwise transfer or attempt to transfer ownership of a dangerous wild animal, unless specifically allowed by some other provision of this chapter. Any person who finds a dangerous wild animal that is at large must immediately notify an animal control officer. This section shall not be interpreted to restrict a person from giving ill, injured, or orphaned wildlife to a state or federally licensed wildlife rehabilitator or to a permitted wildlife educational center.
- (b) For the purposes of this chapter, the animal services manager shall make the determination of whether any animal in question is a pet animal, a wild animal, or a dangerous wild animal. In addition, for the purposes of this chapter, immediately shall mean within 30 minutes of the person finding that a wild animal or dangerous wild animal is at large.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.073. Bee-keeping.

- (a) It shall be unlawful for any person to keep or allow bees, their hives, or any abandoned hives within the city limits, except honey bees may be kept if all of the following conditions are met:
- (1) All hives shall be located a minimum of 30 feet from any property line and enclosed in a fenced area;
 - (2) There shall be no more than four hives per city lot;
 - (3) There is an adequate source of water within 20 feet of all hives;
 - (4) The owner notifies the animal services director, in writing, of the location and number of hives in his possession.
- (b) It shall be a violation for any person who owns, harbors, or possesses bees to refuse, upon request by the animal services manager, or his designee, to make his/her bees, premises, facilities, equipment and any necessary permit(s) available for inspection for the purpose of ascertaining compliance with the provisions of this chapter.

(Ord. No. 2008-62, § 3, 12-18-08)

Sec. 6.074. Keeping of other animals; nuisance conditions.

- (a) No person shall engage in keeping livestock within the corporate limits of the city, except in conformance with and only to the extent so permitted by the zoning ordinances of the city; and unless:
- (1) The pens, stalls, or other facilities for keeping the livestock or fowl, excepting hens, other than fenced open pastures that are at least one acre, are located so that the livestock or fowl cannot come within 100 feet of any existing dwelling or business building owned, used, or maintained by any person other than the keeper;

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- (2) No more than eight hens may be kept within residential areas of the city so long as any cage or coop is located at least 30 feet from neighboring residences. All hens must be contained within the owner's yard. This exception does not apply to roosters;
 - (3) The pens, stalls, or other facilities for keeping the livestock or fowl, other than fenced open pastures that are at least one acre, are located so that the livestock or fowl cannot come within 500 feet of any existing food service establishment or food processing establishment, regardless of ownership or occupancy of the establishment;
 - (4) The fenced open pasture, which is at least one acre, has a means of preventing the livestock or fowl from coming within 25 feet of any property line that abuts an existing residence;
 - (5) A student residing in a residence within the City of San Marcos is enrolled in bona fide program, such as 4H or FFA may keep a single livestock animal, during one school year, as part of a bona fide project related to their enrolment in the program.
- (b) The keeping or causing to be kept any livestock, chickens, geese, ducks, guineas, pigeons, rabbits or my other such animals in those areas appropriately permitted by the zoning ordinances of the city in pens or enclosed areas in such a manner as to become offensive to other persons living nearby is hereby declared to be a nuisance.
 - (c) It shall be unlawful for any person to park or leave standing any truck, trailer, or other vehicle that has been used for the hauling of livestock, animals or fowl in the city limits when notified by an animal control officer that such vehicle is creating a nuisance due to odors, gases or fumes. Upon such notification, the owner, operator, driver or other person responsible for such vehicle shall move such vehicle to a location outside of the city limits.
 - (d) All manure and other excrement shall be disposed of in such a manner as to prevent it from becoming offensive to other persons living nearby. It shall be unlawful for any person to transport slop, garbage or other refuse over any alley, street or highway within the corporate limits of the city for the purpose of feeding hogs or swine within the city.

(Ord. No. 2008-62, § 3, 12-18-08; Ord. No. 2009-19, § 1, 3-31-09)

Sec. 6.075. Keeping of hogs or swine.

- (a) It shall be unlawful for any person to keep any live hog within the city limits for a longer period than 24 hours. This does not apply to miniature swine.
- (b) Subsection (a) of this section does not apply to animal shelters, veterinary establishments, government agencies, exhibitions at the county facilities, or commercial animal establishments located on property zoned for those purposes. Such establishments, however, must meet sanitation requirements and keep all animals securely caged or penned.

(Ord. No. 2008-62, § 3, 12-18-08; Ord. No. 2009-19, § 3, 3-31-09)

Sec. 6.076. Estray.

It shall be unlawful for any person, firm, or corporation to allow an estray(s) to be unattended upon any public street, alley, thoroughfare or upon the property of another in the corporate city limits of San Marcos. The person, firm, or corporation having ownership or light to immediate control of such estray(s) shall have the burden to keep such estray(s) off the public streets, alleys, and thoroughfares or the property of another in the city.

(Ord. No. 2008-62, § 3, 12-18-08; Ord. No. 2009-19, § 3, 3-31-09)

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(Supp. No. 34, Update 4)

Sec. 6.077. Placement and baiting of animal traps.

- (a) It shall be unlawful for any person to place or place and bait or to permit the placing or placing and baiting of any trap designed for trapping animals in any highway, street, alley or other public place within the corporate limits of the city unless specific permission by animal services has been granted. However, nothing in this chapter shall prohibit a city enforcement agent from placing such traps on public or private property as may be necessary to capture animals running at large.
- (b) It shall be unlawful for any person to remove, alter, damage or otherwise tamper with a trap or equipment belonging to, or set out by animal services.
- (c) Residents of San Marcos wishing to trap unwanted animals on personal private property may do so with the use of humane cage traps. Traps may be obtained from animal services. Any trapping program must have prior written approval of the land manager or owner and notification of activities to the animal services manager, or his designee.
- (d) Any traps mentioned in this article found upon public property are hereby declared to be abandoned traps and any city enforcement officer is hereby authorized and directed to impound any such trap and process the same as abandoned property in accordance with the applicable provisions of this Code.
- (e) It shall be unlawful for any person to place or place and bait or to permit the placing or placing and baiting of any steel jawed trap (commonly known as a "bear trap," "wolf trap," "leg hold trap," or "coyote trap") within the corporate limits of the city.
- (f) No person shall place any substance or article that has in any manner been treated with any poisonous substance in any place accessible to human being, birds, dogs, cats, or other animals with the intent to kill or harm animals. This shall include anti-freeze purposely left exposed to poison animals. This section, however, does not preclude the use of commercially sold poisons when applied in accordance with the manufacturer's directions for such use in that person's residence, accessory structure, or commercial establishment, provided that such use does not violate any other section of this chapter, or any other applicable federal or state law.

(Ord. No. 2008-62, § 3, 12-18-08; Ord. No. 2009-19, § 3, 3-31-09)

Sec. 6.078. Display of commercial permits required.

- (a) All commercial establishments, as defined in this chapter, shall at all times prominently display, in a public area, a copy of their current permit(s).
- (b) It shall be a violation for any person who owns, harbors, or possesses an animal that requires a permit, or for any holder of a special use permit, to refuse, upon request by the department, to make his/her animal(s), premises, facilities, equipment, and any necessary registration(s) or permit(s) available for inspection for the purpose of ascertaining compliance with the provisions of this chapter.

(Ord. No. 2008-62, § 3, 12-18-08; Ord. No. 2009-19, § 3, 3-31-09)

Sec. 6.079. Keeping of miniature goats.

- (a) The keeping of miniature goats on a premise zoned as conventional residential district in the development code is allowed with the following requirements:
 - (1) Male miniature goats shall be neutered.

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- (2) No more than, and no less than, two miniature goats shall be kept on the premises, except that offspring may be kept onsite for up to 12 weeks from birth.
 - (b) Miniature goats shall be housed in a shed designed to be:
 - (1) Predator proof;
 - (2) Thoroughly ventilated;
 - (3) At least three sides and with a roof;
 - (4) Easily accessed and cleaned;
 - (5) Watertight and draft free; and
 - (6) A minimum of ten square feet of interior space.
 - (c) Direct access from the shed to an outdoor enclosure shall be provided with the outdoor enclosure designed to be:
 - (1) Secured with a minimum five-foot tall fence;
 - (2) A minimum area of 400 square feet;
 - (3) Secured from the outside in a manner that prevents the miniature goats from escaping;
 - (4) Fenced so that spacing prevents the goat from sticking its head through the fence;
 - (5) Free of objects that would enable the goats to climb out of the enclosure;
 - (6) Easily accessed and cleaned; and
 - (7) Located no less than 20 feet from an adjacent residence or business structure, excluding the residence of the owner.
 - (d) Goat's milk, goat's cheese, and other goat-related food products shall be for personal consumption only; sale of such products is prohibited.
 - (e) Slaughtering, processing, and composting of miniature goats within Conventional Residential Districts is prohibited and, otherwise, is subject to other applicable provisions of this chapter or the San Marcos City Code.
 - (f) It shall be a violation for any person who owns, harbors, or possesses miniature goats to refuse, upon request by the animal services manager, or his designee, to make his/her goats, premises or facilities available for inspection for the purpose of ascertaining compliance with the provisions of this section.
- (Ord. No. 2021-39 , § 3, 6-1-21)

C: Kyle Ordinance Redline Recommendations:

PART II - CODE OF ORDINANCES
Chapter 5 ANIMALS

Chapter 5 ANIMALS¹

DRAFT

¹Editor's note(s)—Ord. No. 1076 , § 3, adopted Feb. 4, 2020, amended ch. 5 in its entirety to read as set out herein. Formerly, ch. 5 pertained to similar subject matter and derived from Ord. No. 287-1, §§ 1—9, 31—39, 40—43, 61—78, 101—128, 141—144, 146—153, 161—173, 181—184, and app. A, adopted Feb. 1, 2005; Ord. No. 713 , § 1, adopted Nov. 20, 2012; Ord. No. 818 , §§ 2—17, 18(1), 18(2), 19—22(5-158.2), 23(5-158.3), 24(5-158.4), 25(5-158.5), 26(5-158.6), 27(5-158.7), 28—32, adopted Aug. 19, 2014; Ord. No. 822 , § 2, adopted Oct. 8, 2014; Ord. No. 931 , §§ 1, 2, adopted Feb. 7, 2017; and Ord. No. 946 , § 1, adopted May 16, 2017.

ARTICLE I. IN GENERAL

Sec. 5-1. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this chapter except where the context clearly indicates a different meaning:

Abuse means to mistreat through intent to abuse or reckless neglect of any animal in a manner that causes or is likely to cause stress or physical injury or as otherwise stated in this chapter.

Animal means any living, vertebrate creature, domestic or wild, other than *homo sapiens*.

Animal control division, animal control authority, or animal control officer means the Animal Control Division of the Kyle Police Department, the department's animal control officers, and police officers. The terms also include code enforcement officers designated by the city to perform animal control enforcement and duties.

Animal shelter means a public or private facility designated by the city council for the purpose of impounding, quarantining, safekeeping, or controlling and caring for animals held under the authority of this chapter.

Animal welfare group means an association or nonprofit corporation who has as one of its purposes providing for the welfare and/or protection of animals of any kind.

Cat means the male and the female of any domesticated member of the feline species of animal.

Chapter or this chapter means chapter 5 of the Kyle, Texas, Code of Ordinances.

Chief of police means the chief of police or the chief of police's designee responsible for the administration of this chapter.

City means the City of Kyle, Texas.

Community Cat or free roaming cat-Any free roaming cat that may be cared for by one or more residents of the immediate area who is/are known or unknown; a community cat may or may not be socialized. Community cats who are ear tipped are sterilized and have received at least one vaccination against rabies. Community cats are exempt from any licensing, stray, abandonment and at-large provisions directed towards owned animals. A community cat may also be defined as a cat 'found' outside that is brought to an animal shelter and not yet sterilized/ear tipped.

Community Cat Caregiver-A person who provides care, including food, shelter or medical care to a community cat, while not being considered the owner, custodian, harbinger, controller or keeper of a community cat or to have care or charge of a community cat. Caregivers must make every effort to minimize the impact on local wildlife, feed the proper quantity of food for the number of cats in appropriate food containers, discard food containers daily and feed only on their property or with the permission of another landowner (city, state or federal public property).

Community cat caregivers may redeem community cats from the shelter without proof of ownership and are exempt from any charges and/or fees.

Code means the Kyle, Texas, Code of Ordinances.

Day means a workday including Saturday and excluding Sunday and city holidays.

Distance between structures, where a minimum setback or distance between any enclosures for an animal from a residence is required, means the most direct line distance between the two structures unless otherwise provided.

Dog means the male and the female of any domesticated member of the canine species of animal.

Domestic animal means any animal whose physiology has been determined or manipulated through selective breeding and does not occur naturally in the wild; any animal which can be vaccinated against rabies with approved rabies vaccine; and any animal which has an established rabies quarantine observation period.

Ear tipping-The removal of the ¼ inch tip of a community cat's ear, performed while the cat is under anesthesia, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian, designed to be the universal identification that the community cat is sterilized and lawfully vaccinated against rabies at least once. Caregivers must make every effort to booster the rabies vaccination as per the manufacturer instructions.

Exotic species means any animal or reptile, fish, or bird, born or whose natural habitat is considered to be outside the continental United States, including non-venomous reptiles and fish.

Fish means any of the cold-blooded animals that extract oxygen from water through the use of gills.

Governmental entity means an agency or political subdivision of the state or an agency or department of the federal government.

Habitual offender or habitually means or refers to an owner who has received two or more final convictions of this chapter, an owner whose animal has been the subject of impoundment in the animal shelter three or more times during a 12 month period, the animal has been in the possession of the animal control division for any amount of time after being contained by the animal control division or any other individual three or more times in a 12 month period, or any combination of convictions and impoundment totaling three incidents.

Harbor means to possess while in the act of keeping and caring for an animal; or of providing a location to which the animal returns for food, shelter, or care for a period of three days or longer.

Keep, keeping, or kept means the care and control of animals for a period of longer than five days.

Livestock means cattle, horses, mules, asses, sheep, goats, llamas, alpacas, miniature livestock, exotic livestock, including elk and elk hybrids, and hogs, unless otherwise defined.

Local rabies control authority or authority means the person designated by the Kyle City Council to carry out the duties of the appointment per V.T.C.A., Texas Health and Safety Code ch. 826, as amended.

Microchip means a small, electronic chip enclosed in a glass cylinder that is about the same size as a grain of rice. It is activated by a scanner that is passed over the area, the chip then transmits the identification number to the scanner, and the number is then displayed on the screen of the scanner. The device is implanted by a licensed veterinarian, by a person duly authorized and supervised by a licensed veterinarian, or by a person duly and professionally trained in the procedure.

Neutered means any animal, male or female rendered incapable of breeding or being bred, through for example, castration or orchiectomy in the male and spaying or ovariectomy in the female.

Owner or presumed owner means any person who has purchased, adopted, or who owns, keeps, maintains harbors or has care, custody or control of one or more animals. Ownership may be determined by identifying an adult resident of the premises upon which the animal is kept, maintained, harbored, or otherwise resides and such

adult shall constitute the owner of the animal upon such premises. Each actual adult resident of the premises shall be the owner or presumed owner and charged with responsibility for the animals thereon maintained or harbored.

Person means and includes an individual human, partnership, co partnership firm, company, limited liability partnership or other such company, joint venture, joint stock company, trust, estate, government entity, association or corporation or any other legal entity, or their legal representatives, agents or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by context.

Poison means a substance with an inherent property that tends to destroy animal life or impair animal health.

Policy means the policies and procedures adopted consistent with this chapter and applicable to the Animal Control Division of the Kyle Police Department.

Premises mean a definite portion of a legal lot of real estate or land, together with any appurtenances or buildings.

Public place means any places open to the public and to which the public has access. It shall include, but is not limited to, shops, stores, outdoor locations, markets, and flea markets. A commercial animal enterprise open to the public or to which the public has access is a public place under this definition.

Residence means any place of human habitation at any time, day, or night, including, but not limited to, any single-family or multifamily dwelling, church, school, convalescent center, or nursing home.

Shelter/Neuter/Return (Return to Field) -Sterilizing, ear tipping and vaccinating a cat large enough for spay/neuter that is found outside and returning him to his original location as opposed to admitting to a shelter.

Stray animal (including estray) means any animal, of which there is no identifiable owner or presumed owner, which is found to be at large within the city limits of Kyle.

Tag means a vaccination tag attached to a collar as required by this chapter or some other permanent identifying device attached to a collar or an animal for purposes of identification of an animal.

Tattoo means a permanent mark which is made on the skin of an animal by puncturing the skin and inserting indelible color, and which is used to show ownership. Tattoo also means a permanent mark used by a licensed veterinarian to identify that an animal has been neutered.

Trap/Neuter/Return (TNR)- The process of humanely trapping, sterilizing, vaccinating against rabies and eartipping community cats and returning them to their original location.

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 or agricultural purpose.

Vaccination or rabies vaccination means the inoculation of an animal with a rabies vaccination that is licensed by the United States Department of Agriculture for use in that species and which is administered according to the label's directions by a licensed veterinarian for the purpose of immunizing the animal against rabies.

Veterinarian means any person duly licensed to practice veterinary medicine by the Texas Board of Veterinary Medical Examiners or successor authority, or who is exempt from such licensing.

Zoning ordinance means the Kyle, Texas, Code of Ordinances, chapter 53.

Zoological park or zoo means any facility, other than a pet shop or kennel, displaying or exhibiting one or more species of animals, operated by a person or under the auspices of a governmental entity.

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(Supp. No. 21)

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-2. Purpose.

- (a) It is the intent and purpose of this chapter to:
- (1) Protect the public health, safety, and welfare within the city for both animals and people;
 - (2) To provide regulations by which the transmission of rabies to human beings and domestic animals can be prevented and controlled;
 - (3) Affirm that while a person may own and keep animals within the city, the conduct of those animals and the conditions that the animals are kept in should be safe and healthy and should not infringe on the surrounding homes and their inhabitants; and
 - (4) To encourage responsible animal ownership.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-3. Penalty for violation of chapter.

- (a) A person who violates or fails to comply with any requirement or provision of this chapter within the city limits shall be deemed guilty of an offense and may be assessed a fine not to exceed \$500.00. Such penalty shall be in addition to all the other remedies provided in this chapter. Each day the violation exists constitutes a separate offense.
- (b) A person commits an offense if, with intent to deceive, he knowingly makes a false report or statement, either verbal or written, that is material to an investigation of an alleged violation of this chapter to an animal control officer, police officer, or other person authorized to enforce provisions of this chapter.
- (c) A person commits an offense if the person reports to a person authorized to enforce provisions of this chapter an offense or incident within that person's concern knowing that the offense or incident did not occur.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-4. Enforcement; filing of complaints; and policy.

- (a) The provisions of this chapter may be enforced by animal control officers, police officers, and such other persons designated by the city. Nothing herein is intended to or shall preempt any statutory duty or authority of any federal, state, or local entity or official charged with animal control, estray, control or impoundment, or other animal related matters.
- (b) It shall be unlawful for a person to:
- (1) Interfere with, obstruct, resist or oppose any animal control officer or other person authorized to enforce the provisions of this chapter while such person is apprehending an animal or performing any other duties or investigation;
 - (2) Take or attempt to take an animal from an animal control officer or from a vehicle used by the officer to transport an animal;
 - (3) Take or attempt to take an animal from the animal shelter or other kennel or confinement area used to impound an animal.

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(Supp. No. 21)

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- (c) In all instances of a violation of any provision of this chapter, whether the animal is impounded or not, the owner or person keeping the animal may be cited by an officer who has the authority to enforce this chapter for any violation of this chapter. The animal control division may adopt a policy establishing a conditional written warning procedure relating to registrations, displaying of tags, and general "at large" violations. The receipt of such written warnings does not preclude the animal control division from citing the recipient if the conditions of the written warning are not met in a timely fashion.
 - (d) In the enforcement of this chapter, properly trained or licensed representatives of the animal control division shall have the authority to utilize firearms to kill or otherwise disable an animal to protect the animal from enduring further pain or suffering as a result of disease or injury. The authorized representatives shall also have the authority to tranquilize or trap any animal, fowl, livestock, or wildlife consistent with humane policies adopted by the animal control division.
 - (e) Unless specifically provided in this chapter, an offense under this chapter shall not require a culpable mental state. It is the intent of this chapter to impose strict liability for violation of the requirements of this chapter.
 - (f) To aid in the administration of this chapter, the animal control division shall by policy making authority of the chief of police, adopt administrative policies and operational procedures consistent with the purpose and intent of this chapter. The form of notices required in this chapter shall be provided for by policy.
 - (g) In the event that a violation of this chapter is occurring and is not observed by an animal control officer, police officer, or designee, a person may report the violation by completing a citizen complaint form. By completing the form, a complainant represents the following:
 - (1) The complaint form is completed voluntarily, truthfully, and accurately by the complainant, signed and then submitted to municipal court.
 - (2) The complainant agrees to testify if the case proceeds to trial with municipal court.
 - (3) The complainant agrees to provide evidence of the violation, such as photographs, audio or video recordings, or supporting documents, to municipal court along with the complaint form.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-5. Powers and duties of citizens.

- (a) Any person who finds an animal running at large on the person's own property, property over which the person exercises control, or on public property may take control of the animal (as provided in section 5-103) and may deliver the animal to an animal control officer, the animal shelter, or an animal emergency medical facility, the person must report the action taken to an animal control officer or the animal shelter within 24 hours.
- (b) The animal shall be surrendered to the animal control division or animal shelter if the person feels the animal has been neglected or cruelly treated and the animal's condition may require enforcement for violations of this chapter. The person shall advertise the found animal in the local newspaper lost and found section and with the lost and found page for the animal shelter. If the animal is wearing a tag of any kind or has a tattoo, brand, or other identifying mark, that information shall be included in the report to the animal control officer or animal shelter. If the owner of the animal is located, the owner shall report to the animal control division or the animal shelter that the animal has been returned.
- (c) The cost associated with the animal's care shall be the responsibility of the person that found the animal while under their care.

(Ord. No. 1076 , § 3, 2-4-2020)

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Sec. 5-6. Prima facie evidence.

In a prosecution charging a violation of this chapter proof the particular property described in the complaint was the premises upon which the animal resided, was harbored or maintained proof the defendant named in the complaint was at the time of alleged violation the registered owner of the animal or proof the person with legal rights to reside on premises was the owner or presumed owner of the animal, is admissible and shall constitute prima facie evidence that the person failed to comply with this chapter.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-7. Abatement of conditions not complying with chapter.

Whenever any premises where animals are kept in unsanitary conditions, or the facilities are not in keeping with provisions of this chapter or any other regulations herein, the animal control division, by written notice clearly stating the intent of this section, to the person responsible for the condition of the premises, may order the abatement of the conditions which are not in accordance with the ordinance or other regulations, or conditions which constitute a nuisance by Kyle Police Department policy. Failure to comply with such order shall, in addition to any criminal or administrative proceedings, be grounds for and entitle the city to obtain relief by injunction. nothing herein precludes the city's use of any public health ordinance or law in lieu of nuisance abatement or injunctive relief herein provided.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-8. Compliance with chapter not relief from compliance with other regulations.

The keeping of any animal in accordance with provisions of this chapter shall not be construed to authorize the keeping of the same in violation of the zoning ordinance or any other ordinance of the city.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-9—5-29. Reserved.

ARTICLE II. GENERAL REGULATIONS

Sec. 5-30. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Apiary means a place where a bee colony is kept.

Bee means any stage of the common domestic honeybee, *Apis mellifera* species.

Colony means a hive and related equipment and appurtenances including bees, comb, honey, pollen, and brood.

Hive means a structure intended to house a colony.

Tract means a contiguous parcel of land under common ownership.

(Ord. No. 1076 , § 3, 2-4-2020)

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Sec. 5-31. Identification for animals.

Except as provided herein, all animals within the city shall be marked by some type of identifying license, tag, microchip, band, tattoo, and/or brand by which the animal's owner can be identified. Animals exempted from this requirement are community, free roaming cats mice, rats, rabbits, guinea pigs, hamsters, gerbils, ferret, fowl, and snakes.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-32. License required.

- (a) *License issuance.* All animals four months of age or older which are kept, harbored, or maintained within the city limits of the city shall be licensed. Licenses shall be provided by the animal control officer or his agents, the Kyle Police Department Records Division and Veterinary Clinics approved by the Kyle Police Department, upon payment of the required fee for each animal. Before a city license will be issued for a cat or dog, the owner must present a current certificate from a licensed veterinarian showing that such cat or dog has been vaccinated for rabies. The owner shall state his name and address, and the breed, color, and sex of the animal to be licensed. Such license shall be valid for one year from date of issuance. Any owner previously found to be a habitual offender and having previously had their license revoked under section 5-33 may be deemed not eligible for current licensure. Appeals of such ineligibility shall follow the procedures set out in section 5-33 for revocations.
- (b) *Tag and collar.* Upon payment of the license fee, where applicable, the city shall issue a unique alpha numeric numbered metal tag to the owner. The tag shall be also registered by the owner with PetHub in order for all the features of the tag to be activated with PetHub. Such tag shall at all times be securely attached to a collar or harness around the neck of the animal. In case a tag is lost, a duplicate will be issued by the animal control officer or his agent, the Kyle Police Department Records Division, upon presentation of the receipt showing the payment of license fee for the calendar year. Tags shall not be transferable from one animal to another, and no refunds shall be made.
- (c) *License renewal.* A renewal tag shall be issued for license renewal only if the tag is no longer able to be scanned for its QR code or has been lost or damaged.

(d) Free roaming community cats are exempt.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-33. Revocation of license, notice of determination and appeals.

- (a) The animal control division may revoke any license or permit, or deem an animal not eligible for a license or permit, after one or more of the following incidents has occurred:
 - (1) The animal was impounded at the animal shelter three or more times during a 12 month period;
 - (2) The animal has been in the possession of the animal control division for any amount of time after being contained by the animal control division or by an individual and delivered to the animal control division three or more times during a 12 month period;
 - (3) The owner of the animal has incurred two or more final convictions for violating this chapter; or
 - (4) Any combination of subsections (1), (2) and (3) of this section totaling three incidents have occurred;
- (b) Notice of revocation of the license or permit or notice of a determination of ineligibility to obtain a license or permit shall be provided to the owner or presumed owner in writing.

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- (c) Appeal of a notice of revocation or ineligibility determination must be filed with municipal court within ten days of receiving the notice.
 - (d) Municipal court shall provide a hearing date notification on the appeal to the owner or presumed owner in writing.
 - (e) The decision of the court is final.
 - (f) Upon expiration of ten days after written notification of revocation is delivered to the owner or presumed owner of the animal, an animal which has had its license or permit revoked or deemed not eligible for a license or permit shall not be kept, maintained, or harbored within the city limits.
 - (g) Upon revocation of a license or permit or being deemed not eligible for a license or permit, the owner or presumed owner of the animal shall notify the animal control division of the location to which the animal is being removed.
 - (h) Each 24 hour period that the animal remains within the city limits shall constitute a separate violation.
- (Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-34. Counterfeiting; destruction of tags, certificates.

- (a) It shall be unlawful for any person to intentionally or knowingly:
 - (1) Counterfeit a rabies vaccination tag or certificate or a license.
 - (2) Destroy a rabies vaccination tag or certificate.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-35. Negligent care.

- (a) It is unlawful for any person to fail, refuse, or neglect to provide any animal in his charge or custody, as owner or otherwise, with:
 - (1) Proper food, water, adequate natural or artificial shade from direct sunlight at all times;
 - (2) Adequate shelter as defined below;
 - (3) Veterinary care when needed to prevent suffering, grooming when lack thereof would adversely affect the health of the animal; and
 - (4) Humane care and treatment.
- (b) Documentation shall be provided by the owner from the animal's veterinarian to prove that the animal is under the veterinarian's care and is not in a state of pain or suffering.
- (c) To ensure adequate shelter for a dog or cat kept outdoors, a person must provide a shelter accessible to the dog or cat meeting the following standards:
 - (1) The structure must provide protection from the weather for example sun, wind, precipitation (in whatever form), or other inclement weather conditions. The structure must have a roof and three sides with adequate ventilation.
 - (2) If there are no artificial heat sources, the structure shall be small enough to allow the dog or cat to warm the interior of the structure and maintain its body heat, but large enough to permit normal postural adjustments, or standing.

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- (3) Plastic air shipping containers and/or pet carriers shall not be used as outdoor shelters.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-36. Other enclosure requirements.

- (a) An enclosure or structure of any kind used to confine an animal, shall be maintained in a sanitary condition.
- (b) Enclosures or structures used to confine animals other than dogs shall be of sufficient size to maintain all of the animals comfortably and in good health.
- (c) 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.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-37. Abandonment.

- (a) No person shall leave an animal unattended for an unspecified amount of time, and in no instance for more than 24 hours, or release an animal on private property under circumstances that create a threat to the health of the animal, or release the animal on private property without adequate food, water, and shelter.
- (b) No person shall intentionally desert an animal on public or private property.

© Returning a community cat to their original home location OR relocating the cat to another location in partnership with a caregiver is not defined as abandonment.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-38. Cruel treatment.

It shall be unlawful for a person to beat, ill treat, torment, mentally abuse, overload, overwork or otherwise abuse an animal or cause, instigate or permit any dogfight, cockfight, bullfight or other combat between animals or between animals and humans.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-39. Animals in state of pain or suffering.

- (a) If any animal without a license tag or other identifying marker is found in a state of pain and suffering or becomes so during confinement, the animal control division may dispose of the animal in any humane manner without complying with the three-day (72-hour) waiting period as set out herein.
- (b) If the owner or keeper of an animal found in a state of pain or suffering refuses to assume responsibility to care for the animal, the animal control division may dispose of the animal in a humane manner.
- (c) Animal owners shall bear full cost of expenses incurred by the city in the care, medical treatment, impoundment or other costs associated with their animal.

(Ord. No. 1076 , § 3, 2-4-2020)

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Sec. 5-40. Molesting animals.

It shall be unlawful for a person to in any manner tease, annoy, disturb, molest, or irritate an animal that is confined to the owner's premises.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-41. Removal of animals from confinement.

- (a) *Removal prohibited.* It shall be unlawful for a person to remove or allow an animal to escape from a place to which the animal has been confined or ordered to be confined by the city, without the consent of the animal control division.
- (b) *Release prohibited of confined animals.* It shall be unlawful for any person to knowingly or intentionally enter upon the property of another person without permission for the purpose of releasing a confined or tethered animal.
- (c) *Interfering with officers during impounding.* It shall be unlawful for a person to interfere or attempt to interfere with an animal control officer or other authorized person while retrieving and impounding an animal.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-42. Trapping and shooting.

- (a) *General prohibition.* It shall be unlawful for a person, other than animal control officers or trappers tasked with wildlife control by the city, to set, trigger, activate or otherwise use, or cause to be set, triggered, activated or used, a steel-jawed, leg hold trap, or other trapping device to capture an animal. This subsection does not prohibit prudent use of live traps and rodent traps on one's own property to control rodents.
- (b) *Use of live traps.* Consistent with the provisions herein, the animal control division is authorized to utilize humane "live traps" and may conduct trapping operations throughout the city as needed. A person may use their own live traps to trap on their property. The person is responsible for ensuring a captured animal is treated consistent with state law and local law.
- (c) *Loan of live traps.* Live traps may be loaned to persons residing within the city limits over the age of 18 by the animal control division for no more than 14 days. The person shall sign a trap agreement prior obtaining a live trap. If the trap is damaged, lost, or stolen while in the person's possession, the person shall pay the city a fee of \$100.00.
- (d) *Hunting prohibited.* It shall be unlawful for any person to hunt, shoot, intentionally injure, or kill any wild bird, animal, mammal, or reptile within the city limits. It shall be unlawful for any person to hunt, shoot, or kill, within the city, any domestic bird, animal, mammal, reptile, or pet that is not owned by such person. This subsection shall not be construed or interpreted to prohibit the destruction of poisonous snakes or to prohibit the animal control division from utilizing certain firearms in emergency field conditions where such actions are provided for by law or city policy.
- (e) *Domestic animals.* It shall be unlawful for any person to shoot a domestic animal within the city limits. It shall be a defense to prosecution that the domestic animal shot was a vicious animal and presented an immediate threat to personal or public safety. This subsection shall not be construed or interpreted to prohibit the animal control division from utilizing certain firearms in emergency field conditions where such actions are provided for by law or city policy.

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(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-43. Tampering with traps and equipment.

No person shall remove, alter, damage, or otherwise tamper with a trap or equipment belonging to or set out by the animal control division.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-44. Duty of motor vehicle operator to report accident involving animals.

- (a) A person who strikes an animal while operating a motor vehicle within the city shall report the incident to the police department within a reasonable amount of time if the animal stricken is on or near the roadway and is a potential traffic hazard. It shall be an affirmative defense to any violation under this section that the incident occurred while the operator was responding to an emergency and that the incident was reported as soon as possible.
- (b) A person who strikes a domestic animal while operating a motor vehicle within the city shall report the incident to the police department within a reasonable amount of time.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-45. Storage of feed.

All feed provided for animals, other than hay, shall be kept in an enclosed building or container except when being used to feed an animal.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-46. Giving animals as prizes or inducements.

- (a) No person shall give away any live animal, reptile, fowl, livestock, or wildlife as the following:
 - (1) A prize for or as an inducement to enter any contest, game, or other competition;
 - (2) An inducement to enter a place of amusement; or
 - (3) An incentive to enter into any business agreement whereby the offer is for the purpose of attracting trade.
- (b) This section shall apply to carnivals, fairs, and circuses.
- (c) This section shall not apply to fish or to animals given as prizes at a rodeo contest or livestock show, or as part of a Future Farmers of America, 4-H or similar project.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-47. Sale of animals.

No person shall sell, trade, barter, lease, rent, give away, and convey ownership of any animal within the city limits. This section shall not apply to a permitted commercial animal enterprise, an animal shelter, or a non-profit animal welfare, rescue or adoption group.

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(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-48. Selling dyed animals.

It shall be unlawful for a person to sell or offer for sale, raffle, offer or give as a prize, premium, or advertising device, or cause to be displayed in any store, shop, carnival or other public place an animal or fowl of any kind that has been dyed or otherwise colored artificially.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-49. Animal fights and fighting paraphernalia.

- (a) It shall be unlawful for a person to intentionally, knowingly, recklessly, or with criminal negligence use, or permit to be used, property that he owns or controls to conduct animal fights.
- (b) It shall be unlawful for a person to possess animal fighting equipment within the city.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-50. Use of poisonous substances.

- (a) It shall be unlawful for any person to administer poison to an animal belonging to another person. No person shall expose any known poisonous substance to an animal, whether mixed with food or not, so that the same shall be liable to be eaten by any domestic animal or person.
- (b) It shall be unlawful for any person to recklessly or with criminal negligence injure another's animal by leaving a poisonous substance of any kind in any place within the city.
- (c) The provisions of subsection (a) and (b) of this section shall not apply to an exterminator using poisons as part of a pest control program, nor shall it apply to persons using commercial insecticides and rodent baits use to control insects and rodents.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-51. Creating a health hazard.

A person who harbors or keeps animals on one's own premises or on premises one controls, and allows the premises to give off obnoxious or offensive odors due to the activity or presence of such animals and become a hazard to the general health and welfare of the community, shall be guilty of a class C misdemeanor.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-52. Slaughtering of animals.

Animals may be slaughtered for human or animal consumption within the city, provided it is done at a location that is shielded from sensory perception of the general public, and provided it is done in a manner designed to cause the animal's death as quickly as possible without needless suffering.

(Ord. No. 1076 , § 3, 2-4-2020)

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Sec. 5-53. Pet sitting, dog walker apps, and fostering animals.

- (a) *Pet sitting and dog walker apps.*
- (1) All animal owners using pet sitting or dog walker apps shall make a current rabies vaccination certificate available at their residence for the pet sitter or dog walker in the event that the animal is involved in a bite case or other incident where the animal control division is notified of a complaint regarding the animals.
 - (2) The animal owner shall comply with any requirements imposed by the city to cure violations of this chapter while it is in the care and custody of the pet sitter or dog walker. Citations may be issued to the pet sitter or dog walker for violations that occur while the animal is under their care and custody.
- (b) *Foster animals.*
- (1) Individuals fostering an animal for a nonprofit animal shelter or animal rescue organization shall be provided with the animal's current rabies vaccination certificate by the organization.
 - (2) If an animal is not being fostered for a nonprofit animal shelter or animal rescue organization, the individual fostering the animal shall comply with the rabies vaccination and city license requirements in this chapter.
 - (3) The individual fostering the animal shall comply with any requirements imposed by the city to avoid violations of this chapter while the animal is under their care and custody.
 - (4) Contact information for the nonprofit animal shelter or rescue organization shall be provided to the animal control division from the foster if needed for notification of any incidents involving the animal.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-54. Honeybees.

- (a) *Restrictions.* A person may not keep a bee colony that causes a threat to human or animal health or interferes with normal use and enjoyment of public or private property.
- (b) *Apiary maintenance.*
- (1) A person shall keep a colony in a Langstroth-type hive with removable frames that is maintained in sound and usable condition.
 - (2) A person shall provide a source of water to a colony to prevent the bees from congregating at a water source used by humans, birds, or domestic pets.
 - (3) 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.
- (c) *Hive location.*
- (1) A person shall not locate a hive within ten feet of the property line of a tract, as measured from the nearest point of the hive to the property line.
 - (2) A person, who keeps a bee 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.
- (d) *Control of aggressive colony.*

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- (1) 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.
 - (2) 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 9 5/8-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.
- (e) *Colony density.*
- (1) A person may not keep more than:
 - a. Two colonies on a tract one-quarter acre or smaller.
 - b. Four colonies on a tract larger than one-quarter acre but smaller than one-half acre.
 - c. Six colonies on a tract one-half acre or more but smaller than one acre.
 - d. Eight colonies on a tract one acre or more.
 - (2) A person may keep an unlimited number of colonies on a tract:
 - a. On which all hives are located at least 200 feet from each property line of the tract; or
 - b. Adjacent to undeveloped property for at least 200 feet from any hive.
- (f) *Hive identification and ownership.*
- (1) Except as provided in (f)(2) below, a person shall:
 - a. 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
 - b. Post a conspicuous sign displaying the apiary owner's name and telephone number at the entrance to the apiary tract.
 - (2) A person is not required to place owner identification on or near a colony located on a tract on which the owner resides.
- (g) *Destruction of wild or abandoned bees.*
- (1) The animal control division can obtain an order from municipal court for the relocation of bees described in subsection (g)(2)a.—c. 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.
 - (2) If relocation of bees under subsection (g)(1) is not possible then, the animal control division may order destruction:
 - a. A colony not residing in a hive;
 - b. A swarm of bees; or
 - c. A colony residing in an abandoned standard or man-made hive.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-55—5-75. Reserved.

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ARTICLE III. PERMITS AND LICENSING

Sec. 5-76. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Circus means a commercial variety show featuring animal acts for the public at a fee or a part of a charity.

Commercial animal enterprise means, but not limited to, animal breeders, kennels, pet shops, feed stores where animals are sold, riding stables, performing animal exhibitions, animal training services, grooming shops, petting zoos, aviaries, or similar enterprises relating to animals.

Kennel means an establishment designed or used for the selling, breeding, or overnight boarding of animals.

Multi-pet owner means a person who keeps or harbors five or more cats or dogs or any combination of five or more cats and dogs.

Performing animals means animals used in a spectacle, display, act or event.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-77. General permit provisions.

(a) *Permits required.*

- (1) Permits shall be required for commercial animal enterprises, guard dogs, and multi-pet owners. A person who keeps or harbors five or more animals on any one lot or residence shall be considered a multi-pet owner.
- (2) Commercial animal enterprise permits shall be required for residences with common household pets having "litters" of puppies or kittens.

(b) *Permit duration and fee; revocation.*

- (1) Permits shall be valid for one year from date of issuance and must be renewed annually within 30 days prior to the expiration date. The permit fee shall be according to the schedule established in appendix A to this Code.
- (2) Following an inspection noting violations of permit requirements or this article, an animal control officer may file an application with the municipal court to revoke a permit issued under this article. In addition to conducting a full revocation hearing, the municipal court judge may temporarily suspend a permit pending a full hearing if such immediate action is determined reasonably necessary to protect the public health or the safety of an animal.
- (3) A permit may be revoked at any time if the owner's facility is found to be in violation of this chapter, zoning, health, or y other applicable city ordinance, state law, or the facility is maintained in such a manner as to be detrimental to the health, safety, or welfare of the persons residing within a 200 foot radius of the premises.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-78. Guard dog permit.

- (a) Guard dog permit applications shall include the following information:
 - (1) The business name, address, and telephone number of the commercial property where the guard dog(s) are to be used;
 - (2) The name, address, and telephone number of the dog's handler(s) who can be reached at any time during the day or night;
 - (3) The number of dogs to be used and a general description of their use;
 - (4) Description of the dogs, proof of their current rabies vaccination and city license;
 - (5) The location(s) where the guard dogs are to be housed; and
 - (6) Any other information that the animal control division deems necessary.
 - (b) Permit holders shall notify the animal control division if any information recorded as part of the permit application is changed during the course of the period for which the permit is issued.
 - (c) Upon receipt of an application to obtain or renew a guard dog permit, an animal control officer or his designee shall inspect the facilities where the guard dogs are or will be used and housed.
 - (d) If the inspection reveals that the requirements of this section are met, a permit fee for each commercial property shall be paid to the city and a permit will be issued.
 - (e) The permit shall be displayed at the approved commercial property, and a rabies vaccination and the city license tag shall be affixed to the collar of each dog used.
 - (f) Nothing in this subsection shall exempt guard dogs from any of the other provisions of this chapter.
 - (g) A guard dog permit shall be valid for the period of one year and must be renewed annually within 30 days prior to the expiration date.
 - (h) Each permit must be obtained prior to housing or utilizing guard dogs at the commercial properties where guard dogs are in use.
 - (i) This section does not apply to dogs used by federal, state, county or municipal law enforcement agencies, or correctional institutions.
- (Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-79. Commercial animal enterprise permit.

- (a) *Requirements for a commercial animal enterprise permit.*
 - (1) Upon inspection of the facility or premises by the animal control officer, the permit shall be issued if the following conditions are met:
 - a. The facility or premises shall be of sufficient size as to allow each animal kept to move about freely. The size of a facility or premises shall be in proportion to the size of the individual animal's height and weight unless otherwise determined by this chapter.
 - b. Adequate food and water shall be provided to each animal.
 - c. Animals kept shall be maintained in good health and free of malnutrition and dehydration.

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- d. The facility or premises shall be kept in a sanitary condition and reasonably free of animal waste, parasites, insects and flies that could be harmful to the animal's health and/or to the health of the general public.
 - e. The animals and the facility must be kept free of odor or stench offensive to a person of ordinary sensibilities.
 - f. The animals must be maintained in a manner which does not pose a danger to the health of the animals or to adjacent animals.
 - g. The animals must not cause noise offensive or disturbing to a person of ordinary sensibilities within a 200 foot radius of the premises.
 - h. All animals must be vaccinated and must wear current rabies vaccination tags and city license tag at all times in accordance with this chapter.
 - i. The applicant or holder of the permit shall not have been issued citations for violation of this chapter on two or more separate occasions, or animals covered by or to be covered by the permit have not been impounded on two or more separate occasions, or animals covered by or to be covered by the permit have not been in the possession of the animal control division for any amount of time or delivered to the animal control division on two or more separate occasions.
 - j. The chief of police shall adopt standard operational procedures for the animal control division to follow during the inspection of the premises or facility proposed for permitting and during the periodic monitoring of such premises or facility.
 - k. A commercial animal enterprise located in a residential area shall obtain written permission from property owners within a 200 foot radius of the premises or facility to operate. The commercial animal enterprise premises or facility shall comply with all other city ordinances relating to a home-based business.
- (b) The animal control division shall periodically inspect the facility or premises to ensure compliance with this chapter.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-80. Multi-pet owner permit.

- (a) ~~No person shall maintain, harbor, or care for more than five cats or dogs in any combination without having obtained a multi-animal owner permit.~~
- (b) ~~A multi-pet owner shall spay or neuter all dogs and cats greater than six months of age prior to obtaining a multi-pet owner permit. Each dog must have a minimum of 150 square feet per dog six months of age or older in its outdoor enclosure or fence.~~
- (c) ~~Upon inspection of the premises set aside for the animals by the animal control officer, the permit shall be issued if the following conditions are met:~~
 - (1) ~~Premises shall be of sufficient size as to allow each animal kept to move about freely. Any indoor enclosures shall be in proportion to the size of the individual animal's height and weight.~~
 - (2) ~~Adequate food and water shall be provided to each animal.~~
 - (3) ~~Animals shall be maintained in good health and free of malnutrition and dehydration.~~

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- (4) ~~The premises shall be kept in a sanitary condition and reasonably free of animal waste, parasites, insects, and flies that could be harmful to the animal's health and/or to the health of the general public.~~
 - (5) ~~The premises and the animals shall be kept free of odor or stench offensive to a person of ordinary sensibilities.~~
 - (6) ~~The animals must not cause noise offensive or disturbing to a person of ordinary sensibilities within a 200-foot radius of the premises.~~
 - (7) ~~All animals must be vaccinated and must wear current rabies vaccination tags and city license tag at all times in accordance with this chapter.~~
 - (8) ~~The applicant or holder of the permit shall not have been issued citations for violation of this chapter on two or more separate occasions, or animals covered by or to be covered by the permit have not been impounded on two or more separate occasions, or animals covered by or to be covered by the permit have not been in the possession of the animal control division for any amount of time or delivered to the animal control division on two or more separate occasions.~~
 - (9) ~~The chief of police shall adopt standard operational procedures for the animal control division to follow during the inspection of such premises proposed for permitting and during the periodic monitoring of such premises.~~
 - (10) ~~A multi-pet owner located in a residential area shall obtain written permission from property owners within a 200-foot radius around the premises for approval of the permit.~~
- (d) ~~The animal control division shall periodically inspect the premises to ensure compliance with this chapter.~~
- ~~(Ord. No. 1076, § 3, 2-4-2020)~~

Sec. 5-81. Applicability.

- (a) This article does not apply to:
- (1) Zoological parks accredited by the American Association of Zoological Parks and Aquariums;
 - (2) Federally licensed research institutions;
 - (3) A government agency that uses the animals for an agency related education, propagation, or behavior program;
 - (4) A person holding a valid rehabilitation permit from the Texas Parks and Wildlife Department but only for animals which are in rehabilitation and scheduled to be released to the wild;
 - (5) A research facility as defined by the Animal Welfare Act (7 USC 2132) and licensed by the U.S. Department of Agriculture;
 - (6) A dangerous wild animal in the custody and control of a circus company or other similar entity not based in the city and the animal is in transit;
 - (7) An animal subject to this article in the temporary custody and control of a television or motion picture production company during production activities; or
 - (8) Any federal, state, or local government entity acting in official capacity and engaging in zoological activities.

(Ord. No. 1076, § 3, 2-4-2020)

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Sec. 5-82—5-101 Reserved.

ARTICLE IV. DOGS, CATS, AND OTHER SMALL ANIMALS

Sec. 5-102. Definitions.

Proper outdoor enclosure for a dog means a fence or kennel used as a primary or secondary means of restraining the dog. The fence or kennel must have a minimum dimension of 150 square feet and be at least four feet in height. The fence or kennel must form an enclosure secured such that the dog cannot climb, dig, jump, or otherwise escape of its own volition. Invisible fences or similar technology shall not constitute a proper primary enclosure.

Running line system or trolley system means a system of restraint for dogs that is made of a cable attached to two stationary points with an additional cable hanging down from the stationary cable that is attached to the dog. This system allows for a dog to run more freely and is less likely to be tangled by the cable in comparison to a tether attached to a stationary object on the ground.

Workday means Monday through Friday, excluding city holidays, from 8:00 a.m. until 5:00 p.m. and other hours designated by the animal control division or the by the animal shelter.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-103. Running at large.

- (a) *Responsible party.* It shall be unlawful for any person who owns, keeps, harbors, or otherwise has control over any animal within the city to allow or permit such animal to run or be at large within the city.
- (b) ~~Cats are exempt from the running at large clause. The prohibition against an animal running at large shall not apply to a domestic cat which has been vaccinated as required by this chapter and which is wearing the required vaccination tag and city license tag. The prohibition shall apply to all other cats including those cats not spayed or neutered by six months of age.~~
- (c) *Restraint required.* An animal shall be considered at large if it is:
 - (1) Off-premises as follows:
 - a. Any animals, except pet cats, which is not restrained by means of a leash or other physical apparatus of sufficient strength and length to control the actions of such animal while off-premises.
 - b. Any cat which is creating a nuisance off the owner's property.
 - (2) On premises as follows:
 - a. Any animal, except pet cats, not confined to the premises of the owner by a substantial fence of sufficient strength and height to prevent the animal from escaping;
 - b. Any animal, except dogs, secured on the premises by a running line system or leash under immediate control of the owner, sufficient in strength to prevent the animal from escaping the premises and so arranged that the animal will remain upon the premises when the running line system or leash under the immediate control of the owner is stretched to full length;
 - c. An animal intruding upon the property of a person other than the owners' property shall be defined as "at large;"

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- d. Any animal within a vehicle in a manner that would prevent that animal's escape or contact with people or animals shall not be defined as "at large."
- (3) Not under the control of its owner either by a leash or other suitable material attached to a collar or harness;
- (4) Not restrained on the property of the owner by a fence. Secondary reinforcement may be required as a remedial measure due to violation of this chapter. Secondary reinforcement shall include but is not limited to wood, metal fencing materials, and secondary invisible fence or similar technology.
- (5) An animal inside a vehicle parked in a public place or in the open bed of a moving or parked vehicle in a public place shall be considered to be at large unless it is restrained in such a manner that it cannot exit the vehicle of its own volition.
- (d) *Snakes*. It shall be unlawful for a person to have a snake in a park or other public place unless the snake is kept in an appropriate cage or enclosure.
- (e) *Impoundment*. The animal control officer for the city may impound any animal observed to be at large, whether the animal is on public or private property, subject to the applicable provisions of the law. If the animal control officer observes an animal on property which is owned by a person other than the owner of the animal, and observes the animal return to property of its owner, the animal control officer may impound the animal or issue a citation for the animal running at large. In the event the animal is on private property or property of the animal's owner, the animal control officer may enter the property, other than a private dwelling for the purpose of impoundment or issuance of a citation, or both.
- (f) *Prima facie evidence*. Proof that an animal was found at large in violation of this section, together with proof that the defendant was the owner of such animal at the time, shall constitute *prima facie* evidence that the defendant allowed the animal to be at large.
- (Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-104. Impoundment generally.

- (a) Animals owned or harbored in violation of this chapter or state law or animals in situations or circumstances addressed in this article, shall be taken into custody by the animal control division and impounded under the chapter.
- (b) A dog or cat shall have a microchip implanted by shelter staff if no microchip is located in the animal at the time of impoundment.
- (c) Owners of impounded animals shall pay all fees and costs related to the impoundment as set by the city's impoundment facility or offered an incentive to spay/neuter, license, rabies vaccinate and microchip in lieu of fees and fines.
- (Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-105. Redemption of impounded animal.

- (a) Except as may be provided elsewhere in this chapter, the owner of an animal impounded in accordance with this chapter may reclaim, on any workday, such animal upon showing satisfactory proof of ownership and paying all impoundment fees and any other expenses incurred by the city or its agent in keeping the animal or attempting to locate the owner of the animal. If the owner does not pay such fees or secure an alternate fee satisfaction option provided for in article IX relating to fees, the animal may be adopted or otherwise disposed of by the city or its agent.

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- (b) If a dog or cat has been impounded on a prior occasion, the dog or cat must be spayed or neutered before being released to the owner and the following actions shall be taken:
- (1) The dog or cat shall have a microchip implanted by shelter staff if no microchip is located in the dog or cat at the time of impoundment.
 - (2) The fee for the microchip and impoundment shall be paid by the owner to the animal shelter unless there is a financial incentive option.
 - (3) The owner of the dog or cat shall arrange the spay or neuter surgery.
 - ~~(4) The dog or cat will be transported to the veterinarian by an animal control officer or an employee or agent of the animal shelter.~~
 - (5) The cost to spay or neuter the dog or cat shall be paid by the owner to the veterinarian or subsidized if the owner is unable to afford the surgery.
 - (6) After the surgery is performed, the veterinarian may release the dog or cat to the owner.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-106. Disposition of dogs and cats.

- (a) *With no identification.* All dogs ~~and cats~~ impounded by an animal control officer or brought to the animal shelter by a person other than the presumed owner or owner shall be held for a minimum of 72 hours during which time the owner may present proof of ownership at the shelter. After paying all applicable fees, the owner may reclaim the dog or cat unless there is a financial incentive to spay/neuter/rabies vaccinate and microchip. If the dog or cat is not claimed after 72 hours in the shelter, the dog or cat shall become property of the animal shelter.
- (b) *With identification.* Dogs and cats wearing traceable identification or whose owner is known impounded by an animal control officer, or brought to the animal shelter by a person other than the presumed owner or owner of, shall be held in the shelter for a minimum of five complete days from the time of arrival. The animal control officer will notify the owner. The owner must claim the animal during the five-day period or notify the animal control officer or animal shelter in writing of the intention to claim the dog or cat, the date by which the dog or cat will be claimed, and arrange for payment of all applicable fees. If a dog or cat is not claimed within the five-day period or the owner does not respond to the notification, the animal shall become the property of the animal shelter on the sixth day.
- (c) *Surrendered by the owner or presumed owner.* An animal surrendered by the owner or presumed owner to the animal control division shall become the property of the city upon completion of the surrender form.
- (d) *Animals other than dogs, cats, or estrays impounded.* All animals other than dogs, cats, strays, or animals holding current restricted animal permits that are impounded by the animal control officer or brought to the animal shelter by a person other than the owner or presumed owner shall become the property of the animal shelter unless such ownership is prohibited by state or federal law.
- (e) *Disposition.* An animal that cannot be adopted or transferred to an appropriate agency or organization shall be euthanized by an injection of substances approved for euthanasia by the American Veterinary Medical Association and/or the Texas Veterinary Medical Association and administered in compliance with policy and the laws of the state. All animals listed as endangered or protected shall be transferred to the proper authority at the earliest possible date.

(Ord. No. 1076 , § 3, 2-4-2020)

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Sec. 5-107. Animals held on complaint.

If a complaint has been filed in municipal court against the owner of an impounded animal for a violation of this chapter, the animal may be held on the order of the municipal court judge. The municipal court judge may also direct the owner to pay any penalties for violation of this chapter in addition to all impoundment fees. Surrender of an animal to the animal control division does not relieve or render the owner immune from the decision of the court nor from the fees and fines which may result from a violation of this chapter.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-108. Tampering with animal shelter or impoundment vehicle.

It shall be unlawful for any person to break into, open, pull down the enclosure of or make any opening into the animal shelter or any enclosure belonging to or used by the city to impound or keep animals. It shall also be unlawful for any person to turn out or release, cause to be turned out or released, or aid and abet the turning out or release of any animal from the animal shelter, from an impoundment vehicle or from an enclosure used by the city for the impoundment of animals.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-109. Nuisance animals.

- (a) As used in this article, a nuisance animal shall be defined as an animal that:
- (1) Molests or chases pedestrians, passersby or passing vehicles, including bicycles, or molests, attacks or interferes with other animals or persons on public property or private property other than the owners';
 - (2) Is repeatedly at large; specifically, three or more times per 12 month period (excluding domestic cats);
 - (3) Damages, soils or defiles public property or private property, other than property belonging to or under the control of the owner;
 - (4) Repeatedly defecates on property not belonging to or under the control of its owner, unless such waste is immediately removed and properly disposed of by the owner of the animal (including domestic cats);
 - (5) Produces odors or unclean conditions sufficient to annoy persons living in the vicinity; or
 - (6) Is unconfined when in heat.
- (b) If the animal control officer determines that any animal is a nuisance, the animal control officer may issue an order requiring that the owner meet certain remedial requirements to correct the conduct of the animal. The order, the form of which shall be provided for by policy, shall be given to the owner by personal service or by certified mail, return receipt requested. The owner may file a written appeal to this order clearly stating the reasons for the appeal, to municipal court within ten days of service. Municipal court shall conduct a hearing to determine the issues stated in the written appeal. Nothing herein precludes the city from seeking other remedies if owners fail to comply with the remedial requirements stated or the decisions rendered in the appeal process.
- (c) Persons residing within 200 feet radius of a person who harbors or keeps an animal that they believe to be a nuisance may initiate a written, signed complaint, the form of which shall be provided for by policy, with the animal control division. The animal control division shall investigate the merits of such complaints to determine if the stated animal is a nuisance animal as defined in this section. If the animal is determined to be a nuisance animal, the procedure set forth in subsection (b) of this section shall apply.

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(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-110. Animal defecation in certain areas.

- (a) *Prohibited.* It is unlawful for the owner or person in control of an animal to intentionally, knowingly, recklessly, or with criminal negligence allow or permit such animal to defecate on any public property or improved private property other than the owners' property. That the animal was at large at the time it defecated on any property shall constitute prima facie evidence that the owner or person in control of the animal allowed or permitted the animal to so act.
- (b) *Exception.* It is an exception to the application of this section that the owner or person in control of the animal immediately removed and cleaned up such animal's feces from public or private property.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-111. Confinement during estrus.

- (a) *Secured enclosure required.* Any unsprayed female dog or cat in the state of estrus (heat) shall be confined during such period of time in a house, building, or secure enclosure and the area of enclosure shall be so constructed that no other dog or cat may gain access to the confined animals except for controlled breeding permitted by the owner of the female. The owner shall have a commercial animal enterprise permit if the animal is being used for breeding purposes.
- (b) *Tethering the animal with running line system.* Additionally, if the dog's owner or handler remains outside within visual range of the dog throughout the period of restraint, the female dog or cat shall not be tethered on a running line except in a secured enclosure. During the time the animal is within a secured enclosure, the female dog may not be tethered in a manner that prevents her from defending herself or from avoiding a male.

~~(c) *Removal of the animal.* Owners who do not comply shall be ordered to immediately remove the animal in heat to a veterinary hospital or the animal shelter. Failure to comply with the removal order of the animal control officer shall be a violation of this chapter and the dog or cat will then be impounded as prescribed herein. All expenses incurred, as a result of this confinement, shall be paid by the owner.~~

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-112. Animals in motor vehicles.

- (a) It shall be unlawful for any person to leave any animal in any standing or parked vehicle in such a way as to intentionally, knowingly, or recklessly, or with criminal negligence endanger the animal's health, safety, or welfare. It shall be unlawful for any person to leave an animal in an unattended standing or parked vehicle or enclosed space without providing the animal with adequate air ventilation and protection from environmental temperature variations, including heat and cold. An animal control officer is authorized to use reasonable force to remove the animal from the vehicle whenever it appears that the animal's health, safety, or welfare is or will be endangered if the owner of the vehicle cannot be located after reasonable attempts. The animal shall be taken to the animal shelter or to a veterinarian if the animal is in distress. A written notice bearing the name of the officer removing the animal, a telephone number where the officer can be contacted, and the location where the animal may be claimed by the owner shall be attached to the vehicle. A person that violates this section shall bear the full cost and expense incurred by the city in the care, medical treatment, impoundment cost, and disposal of the animal, including the removal from a vehicle, in addition to any criminal penalty imposed under this section.

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- (b) In instances where occupants of motor vehicles are involved in a traffic accident or other vehicle-related incidents which result in animals being left uncontrolled or unattended, animal control officers are authorized to take custody of the animals. Officers are authorized to transport such animals to the animal shelter, a veterinarian, or animal emergency clinic. Information shall be provided to the animal's owner as to the animal's disposition. Owners shall bear the full cost and expense incurred by the city in the care, medical treatment, impoundment costs, and/or other associated costs.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-113. Tethered animals.

- (a) As a secondary means of restraint to a proper enclosure, a dog may be attached to a running line system providing that:
- (1) A running line system is set inside a proper fence to prevent any person or child from entering the area occupied by said dog;
 - (2) Only one dog may be attached to each running line system;
 - (3) Tethers and cables attaching the dog to the running line system must be made of a substance which cannot be chewed by the dog and shall not weigh more than 1/18 of the weight of the dog being tethered;
 - (4) A running line system must have a swivel installed at each end of the tether or cable attached to the dog. The system must be attached to a stationary object that cannot be moved by the dog;
 - (5) The running line system must be at least ten feet in length and mounted at least four feet and no more than seven feet above ground level;
 - (6) The length of the tether from the running line system to the dog's collar should allow access to the maximum available exercise area and allow the dog access to food, water, shelter, and shade;
 - (7) The system is attached to a properly fitted harness or collar with enough room between the collar and the dog's throat through which two fingers may fit. Choke collars and pinch collars are prohibited for the purpose of tethering a dog to a running line system;
 - (8) The dog is tethered at sufficient distance from any other objects to prohibit the tangling of the cable, prohibit the dog from extending over an object or an edge that could result in injury or strangulation of the dog, and the tether is of sufficient distance from any fence to prohibit the dog access to the fence;
 - (9) It shall be unlawful to tether within 500 feet of a school;
 - (10) Feces is removed from the tethered area on a daily basis; and
 - (11) The dog shall not be allowed to remain tethered during a severe weather event. A severe weather event includes conditions in which:
 - a. The actual or effective outdoor temperature is below 32 degrees Fahrenheit;
 - b. A heat advisory has been issued by local or state authority or jurisdiction; or
 - c. A hurricane, tropical storm, or tornado warning has been issued for the jurisdiction by the National Weather Service.
- (b) It shall be unlawful for any person to tether or fasten any animal in such a manner as to permit it to be upon any public sidewalk or street or to leave it unattended while tethered, chained, or fastened on public property or private property. It shall be unlawful to tether or fasten an animal in such a manner as to cause it injury or pain or not permit it to reach shelter, shade, food, or water.

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(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-114—5-134. Reserved.

ARTICLE V. LIVESTOCK, FOWL, AND RABBITS

Sec. 5-135. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Brand means a mark typically used with livestock made on the skin of an animal to indicate the ownership of the animal.

Estray means stray livestock, stray exotic livestock, and stray exotic fowl or as otherwise defined in V.T.C.A., Texas Agriculture Code ch. 142, as amended.

Fowl means and includes all birds, chickens, turkeys, pheasants, quail, guineas, geese, ducks, peafowl, and other domestic feathered creatures and nondomestic feathered creatures, regardless of age or sex.

Hen means a female chicken.

Miniature livestock means a dwarfed variety, or a species bred to be smaller than its standard counterpart. Whether a particular variety or species is miniature livestock may be validated by reference to the published breed definition for registration by a nationally recognized breeding association of a particular variety or species.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-136. Livestock and miniature livestock.

- (a) It shall be unlawful for the owner of livestock and/or miniature livestock to:
- (1) Cause or permit livestock and/or miniature livestock to be pastured, herded, staked, or tied in a roadway, park, or other public place;
 - (2) Tie, stake, pasture or permit the tying, staking, or pasturing of an animal on private property within the city without the consent of the owner or occupant of such property, or to permit livestock to trespass upon a roadway or other public place or private property; or
 - (3) Permit any livestock and/or miniature livestock to be or remain during the nighttime secured by a stake or secured in any manner other than by enclosing such animal in a pen, corral, or barn sufficient and adequate to restrain such livestock.
- (b) It shall be unlawful for any person to keep or harbor any livestock and/or miniature livestock within the city unless the property is zoned agriculture.
- (c) It shall be unlawful for any person to keep or harbor any livestock and/or miniature livestock within the city in a pen or other enclosure on property with less than one acre of area for each head of livestock and/or miniature livestock.
- (d) A livestock and/or miniature livestock owner shall provide the animal control division with current contact information and the current locations of their livestock.

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- (e) This article does not apply to an animal that is an FFA or 4-H project and that is in good standing. The animal should be on the official list of authorized projects filed with the city by the authorized sponsor of such FFA or 4-H program. Such exemption shall be withdrawn upon the sponsor of the applicable FFA or 4-H program notifying the animal control division that the animal is not being maintained and cared for in compliance with the standards of such FFA or 4-H program, or is, otherwise, no longer an authorized FFA or 4-H project.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-137. Hens, other fowl, and rabbits.

- (a) No more than six hens and/or two other fowl and/or two rabbits may be kept at a residence.
- (b) All hens, other fowl, and rabbits kept at a residence shall have a pen, coop, or hutch constructed and available to such animals. All hens, other fowl, and rabbits must remain on the owner's property behind a fence, on a leash, or on a tether.
- (c) The pen, coop, or hutch shall be at least 20 feet from neighboring residences and at least ten feet from the owner's residence.
- (d) The keeping of roosters at a residence is prohibited.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-138. Impoundment of estray and livestock and miniature livestock.

The animal control officer, upon receipt of a report or upon discovery of an estray within the city, shall as soon as possible notify the Hays County Sheriff's Department, report the presence of the estray, and the location where the estray can be found if an owner is not located for the estray in a reasonable amount of time after a diligent search of available livestock owner information. The Hays County Sheriff's Department will then notify their designee to impound the estray per V.T.C.A., Texas Agriculture Code § 142.009, as amended.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-139. Impounded estray, livestock, and miniature livestock.

- (a) Notice of impounded estray shall be governed by V.T.C.A., Texas Agriculture Code § 142.009, as amended.
- (b) Recovery of impounded estray shall be governed by V.T.C.A., Texas Agriculture Code § 142.010, as amended.
- (c) Disposition or sale of impounded estray shall be governed by V.T.C.A., Texas Agriculture Code § 142.013, as amended.
- (d) Recovery by owner of sale proceeds shall be governed by section V.T.C.A., Texas Agriculture Code § 142.014, as amended.
- (e) Use of estrays shall be governed by V.T.C.A., Texas Agriculture Code § 142.011, as amended.
- (f) Death or escape of impounded estray shall be governed by V.T.C.A., Texas Agriculture Code § 142.012, as amended.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-140. Estray, other livestock and fowl.

- (a) It is unlawful for the owner or person in control of any horse, mule, jack, jenny, cattle, hog, goat, sheep, or miniature livestock (estrays) to permit the animal to run at large on land not owned or under the control of the owner, on a roadway, or other public place in the city.
- (b) It is unlawful for the owner or person in control of any chicken or other fowl to permit the animal to run at large on another's property, on a roadway, or other public place in the city.
- (c) It is unlawful and constitutes a nuisance for the owner or any person in charge or control of any pigeons in the city to allow such pigeons to run or fly at large in the city.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-141. Other restrictions.

- (a) *Keeping of animals near city water supply.* It is unlawful and constitutes an offense for any person, whether for himself or as the agent of another or others, to keep or to participate in keeping any horse, hog, cattle, sheep, goat, other livestock and/or fowl in any pen or lot used to confine any such multiple animal operation within 500 feet of any water supply wells from which the city obtains its principal water supply as specified in V.T.C.A., Texas Administrative Code tit. 31, § 290.41, as amended.
- (b) *Dead animals and fowl.* It shall be unlawful for a person to place, cause to be placed, or allow a dead animal to remain in or near the person's premises, the premises of another person, or on the streets or other public roadways.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-142—5-168. Reserved.

ARTICLE VI. DANGEROUS ANIMALS²

²State law reference(s)—Dangerous dogs, V.T.C.A., Health and Safety Code § 822.041 et seq.

Sec. 5-169. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Dangerous animal means an animal which:

- (1) Has inflicted a bite on a human being without provocation on public or private property;
- (2) Has killed or severely injured a domestic animal without provocation while off the owner's property;
- (3) Is trained or harbored for fighting which may be determined based on whether the animal exhibits behavior and/or bears physical scars or injuries which indicate that the animal has been trained or used for the purpose of fighting;
- (4) Is a warm-blooded mammal which is known to carry or be susceptible to the rabies virus and which cannot be effectively vaccinated against that virus with any vaccine approved by the Texas Department of State Health Services or its successor;
- (5) Is a hybrid animal or any pet wildlife which has attacked a human or which is apprehended or observed unrestrained; or
- (6) Is a venomous or carnivorous fish or reptile.

Serious injury means bodily injury resulting from severe attack or bite from an animal which produces severe pain, trauma, loss of blood or tissue, and which requires medical treatment of wounds inflicted by the animal.

Severe attack means an attack in which the animal repeatedly bites or vigorously shakes its victim, and the victim, or a person intervening, has extreme difficulty terminating the attack.

Severe bite means a puncture or laceration made by an animal's teeth which breaks the skin, resulting in a degree of trauma which would cause most prudent and reasonable people to seek medical care for treatment to the wound, without considerations of rabies prevention alone.

Unprovoked means an action by an animal that is not:

- (1) In response to being tormented, abused, or assaulted by any person with an object or part of a person's body;
- (2) In response to pain or injury;
- (3) In protection of itself or its food, kennel, immediate territory, or nursing offspring;
- (4) In response to an assault or attempted assault on a person; or
- (5) In response to any part of the animal's body being pulled, pinched, or squeezed by a person.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-170. Purpose.

It is the intention of this article to provide a means for dealing with an animal that is dangerous or, by its conduct, has indicated that it may represent a danger in the future. In interpreting the definitions contained in this article and in implementing its provisions, the animal control division shall recognize the right of a person to use an animal as a protector; however, the animal control division shall also take into consideration the right of a neighborhood to be free from fear that an animal may leave the premises of its owner or keeper and attack and injure a person or other domestic animal.

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(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-171. Reporting of incident.

A person shall report an incident involving a dangerous animal as defined by section 5-169 to the animal control division within 24 hours of the incident. The animal control division shall investigate the animal and alleged incident.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-172. Pending investigation of incident.

- (a) The animal control division shall investigate all reports of an attack or unprovoked act by an animal.
- (b) Sworn statements shall be obtained from any witnesses or victims of the incident.
- (c) The sworn statement shall contain the following;
 - (1) Nature and the date of the incident;
 - (2) The location of the incident;
 - (3) The name and address of the owner of the animal in question; and
 - (4) The description of the animal in question.
- (d) Pending the completion of the investigation the animal shall be held in a designated location for impoundment. The animal control division shall issue a notice requiring that the animal be delivered to the designated location within 24 hours. If the animal is at large at the time of the incident the animal shall be immediately impounded by the animal control division.
- (e) If the owner or presumed owner fails to deliver the animal to a designated location for impoundment, the municipal court judge shall order and issue a warrant authorizing the animal control division to seize the animal.
- (f) The animal shall not be released from the designated location until the investigation proves unfounded or the final determination of a dangerous animal and disposition of the animal is made in compliance with this chapter.
- (g) Upon impoundment, the animal shall have a microchip placed for identification and the microchip number shall be provided to the animal control division.
- (h) The owner of an animal subject to this article shall bear full cost and expense incurred by the city in the care, medical treatment, and impoundment of the animal.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-173. Notification of determination that an animal is dangerous.

- (a) If an animal commits an act described in the definition of dangerous animal and an investigation determines that the animal is a dangerous animal, notice of the determination shall be provided to the owner or presumed owner.
- (b) The notice of dangerous animal determination shall be provided to the owner or presumed owner in writing and as otherwise required by city policy.

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- (c) The owner or presumed owner may surrender the animal to the animal shelter at any point during the investigation and shall notify the animal control division that the animal has been surrendered.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-174. Hearing.

- (a) A hearing shall be conducted within ten days of the owner receiving the dangerous animal notification to determine the disposition of the animal. The municipal court shall give written notice of the time and place of the hearing to the owner or presumed owner of the animal and to the animal control division.
- (b) Any interested party, including the city attorney, is entitled to present evidence at the hearing.
- (c) The municipal court shall make a determination on the question of whether the animal is a dangerous animal as defined by this chapter, based on the preponderance of evidence presented.
- (d) If the owner or presumed owner of the animal does not appear at the hearing, the municipal court may proceed with evidentiary findings without the owner's or presumed owner's presence.
- (e) Upon conclusion of a hearing if the court finds that the animal is a dangerous animal the court shall order that the owner comply with one of the following requirements:
- (1) Removal of the dangerous animal from within the city limits. The owner must provide, in writing, the destination address for the animal and proof that the owner has alerted the agency responsible for animal control in the destination area to the animal control officer in charge of the case prior to release of the animal; or
 - (2) Authorize the location where the dangerous animal is held to proceed with humane euthanasia; or
 - (3) Registration and compliance with all of the requirements in this chapter for keeping a dangerous animal, at the owner's expense, prior to the animal's release from the designated location where the animal is being held.
- (f) The municipal court shall give written notice of the court's determination and order to the owner or presumed owner of the animal.
- (g) The owner or presumed owner may appeal the decision of the municipal court in the manner described by V.T.C.A., Texas Health and Safety Code § 822.0424, as amended. During the pendency of such appeal, the animal shall remain at the designated location. The municipal court shall determine the estimated costs to house and care for the impounded dangerous animal during the appeal process and shall set an appeal bond adequate to cover those estimated costs.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-175. Registration requirements for owner of dangerous animal.

- (a) The owner must comply with the following to register a dangerous animal:
- (1) Present proof of liability insurance or financial responsibility in the amount of at least \$250,000.00 to cover damages resulting from an attack by the dangerous animal. The insurance requirements contained herein shall be maintained at all times and shall not be cancelled by the owner, until the owner ceases to own the dangerous animal;
 - (2) Present proof of current rabies vaccination in the form of a rabies vaccination certificate for the dangerous animal. When the animal is revaccinated for rabies as, the owner shall provide the updated rabies vaccination certificate to the animal control division;

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- (3) Present proof that the animal has been altered to prevent reproduction and proof of the animal has a microchip. Proof of being altered can be satisfied through visual inspection of the tattoo or mark placed at the time of surgery if the certificate of sterility is not available or the medical record is unavailable;
- (4) Provide a proper enclosure for the dangerous animal which meets or exceeds the following requirements:
- a. The enclosure is a house, a building, a fence, pen or other structure;
 - b. The fence, structure, or pen measures at least six feet in height;
 - c. The structure or pen is a minimum of 150 square feet in space.
 - d. The fence, structure, or pen forms an enclosure suitable to prevent entry of young children and must be locked and secured such that the animal cannot climb, dig, jump, or otherwise escape of its own volition.
 - e. The enclosure shall be securely locked at all times and have secured sides to prevent a dangerous animal from escaping.
 - f. The enclosure shall provide protection from the elements for the animal.
 - g. The enclosure must have a secure top that provides shade and a concrete floor.
- (5) Invisible fences or similar technology shall not constitute a proper enclosure.
- (6) The enclosure shall be inspected by an animal control officer and if found compliant with the requirements of this section, the enclosure shall be approved by the officer.
- (7) Enclosures erected to confine dangerous animals must comply with all zoning and construction regulations of the city.
- (8) The perimeter fence around the property where the dangerous animal is kept shall be locked and secured to prevent entry into the property.
- (9) Post a minimum of three signs on the premises warning that there is a dangerous animal on the property. The signs will be provided to the owner by the city with the payment for the dangerous animal registration. The owner of a dangerous animal shall post signs giving notice of the presence of the dangerous animal on the property in the form and in the locations designated by the animal control officer or a court order. Additional signs may be required as per policy.
- (10) A dangerous animal collar provided to the owner by the city upon payment for the dangerous dog registration will be placed on the animal.
- (11) Any further identification required and designated by the order of the city.
- (b) It is a violation of this chapter for the owner of a dangerous animal to fail to post signs in accordance with this chapter, or to remove signs that are required by this chapter and fail to replace them.
- (c) It shall be unlawful for any person to keep a dangerous animal in a house or building when the windows are open or when screened windows, screened doors, or other penetrable barriers are the only obstacles preventing the dangerous animal from exiting the structure and running at large. If a house or building is used as a proper enclosure there must be a secondary door on the exterior on all exits or a secondary safety gate inside the house or building keeping the dangerous animal away from direct access to the exits.
- (d) When the dangerous animal is taken outside of the approved enclosure, the animal must be securely muzzled in a manner that will not cause injury to the animal nor interfere with its vision or respiration but shall prevent it from biting a person or other animal. The animal must be restrained by a nylon leash that does not exceed six feet in length and is under the immediate control of the area into which the animal has

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been moved. The leash shall be in the immediate control of a person over the age of 18. The leash shall be attached to a properly fitted collar or harness with a safety carabineer.

- (e) Prior to selling or moving the dangerous animal either inside or outside the city limits, the owner must notify the animal control division of his intentions. In the event the animal is moved permanently outside the city limits, the owner must comply with state law by notifying animal control in charge of the area to which the animal has been moved. The owner must also provide to the animal control officer in charge of the case the destination address for the animal and proof that the owner has alerted the agency responsible for animal control in the destination address.
- (f) A person who brings an animal into the city limits that has been declared dangerous by another animal control authority must notify the animal control division of the new address where the animal will be kept and upon presentation of the animal's prior registration tag that has not expired shall pay a registration fee. The animal control division shall issue a new tag to be placed on the animal's collar or harness. The owner must also comply with all requirements set out in this chapter prior to bringing the dangerous animal into the city.
- (g) The animal control division shall periodically inspect the location and premises of all dangerous animals to ensure compliance with this chapter. The animal control division shall have the right to inspect the residence and proper enclosure for the dangerous animal.
- (h) Responsible pet ownership education shall be completed by the owner or presumed owner of a dangerous animal. The course will be completed online and proof of successful completion of the course shall be provided to the animal control division prior to the animal's release from the designated location of impoundment.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-176. Registration.

- (a) The owner must register the animal with the animal control division, and pay the fees as required by state law not later than 30 days after the owner is notified that the dog is dangerous by the animal control officer and upheld by municipal court. The fee will include the costs of required dangerous dog signs and dangerous dog collar provided to the dog owner.
- (b) Two color photographs of the animal shall be provided with the application that clearly identifies the animal.
- (c) The registration shall not be transferable and shall be valid for the period of one year and must be renewed within 30 days prior to the expiration date.
- (d) A current copy of the liability insurance policy for the dangerous animal and rabies vaccination certificate shall stay on file with the animal control division at all times.
- (e) Registration shall be completed after all requirements for owning the dangerous animal is met and prior to the animal being released from the designated location for impoundment.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-177. Notifications.

- (a) The owner or presumed owner of a dangerous animal shall immediately notify the animal control division of the following:
 - (1) All attacks by the dangerous animal;

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- (2) Death of the dangerous animal;
 - (3) The sale of the dangerous animal or moving of the dangerous animal;
 - (4) The dangerous animal is at large;

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-178. Violations.

- (a) Upon determination by an animal control officer that the owner or presumed owner of a dangerous animal has failed to keep the animal in compliance with this chapter, the animal control division shall request a hearing before municipal court to determine the disposition of the dangerous animal.
- (b) The animal control division is authorized to impound a dangerous animal that is not kept in compliance with this chapter until a hearing is held pursuant to this section. If the owner or presumed owner does not deliver the dangerous dog or refuses to relinquish the dangerous animal to animal control, the municipal court may order the animal control division to seize the dangerous animal and issue a warrant authorizing the seizure.
- (c) The municipal court shall set a time for a hearing to determine whether the owner or presumed owner of the dangerous animal has complied with all the requirements for keeping a dangerous dog. The hearing must be held not later than the tenth day after the date on which the dangerous animal is seized or delivered.
- (d) The municipal court shall give written notice of the time and place of the hearing to the owner or presumed owner of the dangerous animal and to the animal control division.
- (e) Any interested party, including the city attorney, is entitled to present evidence at the hearing.
- (f) If the owner or presumed owner of the animal does not appear at the hearing, the municipal court may proceed with evidentiary findings without the owner's or presumed owner's presence.
- (g) The municipal court shall make a determination, based on the preponderance of evidence presented, whether the owner or presumed owner of the dangerous animal has complied with all the requirements for keeping a dangerous animal.
- (h) If the municipal court finds that the owner or presumed owner has complied with all of the requirements of this chapter, the municipal court shall order the animal returned to its owner or presumed owner. The animal shall be returned to the owner or presumed owner upon full payment of the cost of seizure, impoundment, and care of the animal.
- (i) If the municipal court finds that the owner or presumed owner has failed to comply with the requirements of this chapter, the municipal court shall order one of the following:
 - (1) The humane destruction of the dangerous animal by the designated location where the animal is held on or after the eleventh day after the date of the order; or
 - (2) The immediate removal of the dangerous animal from the city. In the case of removal, the owner must provide, in writing, the destination address for the animal and proof that the owner has alerted the agency responsible for animal control in the destination area to the animal control officer in charge of the case prior to release of the animal.
- (j) If the dangerous animal is found to be within the city on or after the eleventh day after the date of the order, the court will issue a warrant authorizing the animal control division to seize the animal and order the humane destruction of the animal.
- (k) The owner or presumed owner may appeal the decision of the municipal court in the manner described by V.T.C.A., Texas Health and Safety Code § 822.0424, as amended. During the pendency of such appeal, the animal shall remain at the designated location. The municipal court shall determine the estimated costs to

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house and care for the impounded dangerous animal during the appeal process and shall set an appeal bond adequate to cover those estimated costs.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-179. Defenses.

- (a) No animal may be declared dangerous if:
- (1) The threat, injury, or damage was sustained by a person who at the time:
 - a. Was committing a willful trespass or other tort upon the premises occupied by the owner of the animal;
 - b. Was tormenting, abusing, or assaulting the animal or has in the past been observed or reported to have tormented, abused, or assaulted the animal and the animal was not at large at the time of the offense;
 - c. Was committing or attempting to commit a crime;
 - d. If the animal was protecting or defending a person while in that person's control from an unjustified attack or assault; or
 - e. If the animal was injured and responding to pain.
 - (2) The person's animal was on a leash and the person was in immediate control of the animal during the incident.
 - (3) The animal caused bodily injury to another animal and both animals were at large when the injury occurs, or the injured animal was running at large when the injury occurred.
 - (4) If the incident occurs at a city dog park within the fence of the park.
- (b) The provisions of this article shall not apply to animals under the control of a governmental law enforcement, correctional, or military agency.
- (c) The provisions of this article shall not apply to a dog whose conduct has brought it within the coverage of V.T.C.A., Texas Health and Safety Code ch. 822.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-180—5-200. Reserved.

ARTICLE VII. WILD ANIMALS AND PROHIBITED ANIMALS

Sec. 5-201. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Dangerous wild animal means a lion, tiger, ocelot, cougar, leopard, cheetah, jaguar, bobcat, lynx, serval, caracal, hyena, bear, coyote, jackal, baboon, chimpanzee, orangutan, gorilla, or any hybrid of these listed animals and as otherwise provided in V.T.C.A., Texas Health and Safety Code ch. 822, as amended.

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Prohibited animals means any animal prohibited by state or federal law and including any individual species and/or subspecies of the following animals: antelope, lions, tigers, ocelots, bobcats, lynx, cougars, leopards, cheetahs, jaguars, hyenas, bears, lesser pandas, ferrets born in natural habitats, binturong, ostriches, emus, elephants, Vietnamese pot belly pigs, miniature pigs, apes, or such other nondomestic species of animal not common to the city and surrounding area.

Wild animal or wildlife means prohibited animals and a nondomestic creature (mammal, amphibian, reptile, or fowl) that is of a species wild by nature, normally found in a wild state, and which is not naturally tame or gentle, or which, because of its size, vicious nature, and other characteristics, constitutes a danger to human life or property.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-202. Prohibited animals.

- (a) No person may possess a prohibited animal within the city limits. Prohibited animals shall include, but are not limited to, animals prohibited by state or federal law a hybrid of prohibited animals, or other class of animals determined to be dangerous by the animal control division or a dangerous animal added to the list of a high risk animal in the Texas Rabies Control Act, as amended, and as follows:
- (1) Class mammalian.
 - a. Family Canidae (such as wolves, coyotes, fox, and hybrids) except domesticated dogs;
 - b. Family Mustelidae (such as weasels, martins, fishers, skunks, wolverines, mink, and badgers) except ferrets;
 - c. Family Procyonidae (such as raccoons);
 - d. Family Ursidae (such as bears); and
 - e. Order Chiroptera (such as bats).
 - (2) Poisonous reptiles, cobras, and their allies (Elapidae and Hydrophiidae); vipers and their allies (Crotalinae and Viperidae); Boonslang and Kirtland's tree snakes; Gila monsters (Helodermatidae); and crocodiles, alligators, and their allies (Order Loricata).
 - (3) Any venomous spiders.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-203. Dangerous wild and other nondomestic animals—Prohibited.

- (a) The animals specified in this section as dangerous wild animals shall be deemed as contraband and no person may possess any individual species and/or subspecies of the following dangerous wild animals:
- (1) Order Carnivora, family felidae (such as lions, tigers, jaguars, leopards and cougars, ocelot, lynx, bobcat, and cheetahs)
 - (2) Hyenas;
 - (3) Bears;
 - (4) Lesser pandas;
 - (5) Ferrets from natural habitats;
 - (6) Suborder Strepsirrhini and Haplorrhini (such as monkeys, chimpanzees, and apes).

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(b) No person may possess any individual species of the following animals:

- (1) Antelope;
- (2) Binturong;
- (3) Family Suidae (such as wild or domestic pigs, miniature pigs, and Vietnamese pot belly pigs);
- (4) Elephants;
- (5) Such other nondomestic species of animal not common to the city and surrounding area.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-204. Wild animals or wildlife.

- (a) No person shall possess, keep or have care, custody, or control of a prohibited animal, wild animal or wildlife within the city except as provided herein.
- (b) It shall be unlawful for a person to sell, give, transfer or import a wild animal into the city.
- (c) This section shall not apply to an approved zoological parks or circuses. Nor shall this section apply to zoological parks owned or operated by a governmental entity.
- (d) It shall be a defense to prosecution under this section that the wild animal being kept was an infant or injured animal which was not capable of surviving on its own and such animal was kept for three days or less, or for such reasonable time as was necessary before surrendering the animal to a licensed wildlife rehabilitator.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-205. Exhibitions of certain animals prohibited.

No person shall keep, or permit to be kept, on his premises a dangerous wild animal or prohibited animal for display or exhibition purposes, whether gratuitously or for a fee. This section shall not apply to a zoo or circus, as defined in section 5-76.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-206. Violations.

- (a) It shall be a violation of this article for a person to possess an animal described in sections 5-202, 5-203, and 5-204. Each day of violation for each animal shall constitute a separate offense.
- (b) It shall be a violation of section 5-205 for a person to keep or permit to be kept on his premises a dangerous wild animal or prohibited animal for display or exhibition purposes and each day of violation for each animal shall constitute a separate offense.
- (c) In addition to any criminal penalty for a violation of section 5-203, the person is liable for a civil penalty of not less than \$200.00 and not more than \$2,000.00 for each dangerous wild animal or prohibited animal for each day the violation continues. The city attorney may bring suit to collect the civil penalty and costs allowed by statute and the civil penalty shall be retained by the city.
- (d) It shall be a violation of this article to operate a circus or zoo without a valid permit issued pursuant to this article and each day of operation shall constitute a separate offense. In addition to any criminal penalty, if the circus or zoo at the time of violation is in possession of any dangerous wild animal, the liability for the

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civil penalty detailed in subsection (c) of this section, may be imposed for each dangerous wild animal possessed.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-207—5-227. Reserved.

ARTICLE VIII. RABIES CONTROL³

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³State law reference(s)—Rabies control, V.T.C.A., Health and Safety Code § 826.001 et seq.

Sec. 5-228. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Quarantine means a period of ten days used for observation of a domestic or pet animal to determine the health status of that animal in relation to the rabies virus.

Quarantine by owner means an owner who quarantines an animal with the local rabies control authority's permission under the following conditions:

- (1) The animal must have a current rabies vaccination and be registered with animal control division;
- (2) The animal must be housed or maintained in an enclosed structure, such as a house or garage, and must remain there for ten days;
- (3) If maintained outside, the animal must be behind a fence from which it cannot escape and inside a kennel from which it cannot escape;
- (4) The animal must be kept away from other animals and people except those in the immediate household;
- (5) The animals may not be removed from the city limits while under quarantine;
- (6) The owner shall notify the local rabies control authority immediately if the animal becomes sick or displays any behavioral changes;
- (7) The animal must be examined by the local rabies control authority or designee by the first day of home quarantine and again on the final day of quarantine. Upon final examination the authority may declare the animal to be free of the rabies virus or under questionable circumstance defer such examinations to a licensed veterinarian. In such instances, the owner shall be responsible for all associated costs and when required, produce proof of such veterinarian examinations;
- (8) The owners must allow the local rabies control authority, with reasonable notice, to view and confirm the health of the animal during the rabies quarantine period.

Rabies vaccination means the vaccination of a dog, cat, or other domesticated animal with an antirabies vaccine approved by the Texas Department of State Health Services or successor authority and administered by a veterinarian licensed by the state.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-229. Vaccinations.

- (a) All dogs or cats four months of age or older within the city shall be vaccinated against rabies. Such vaccinations shall be repeated at the intervals prescribed by the Texas Department of State Health Services, or its successor.
- (b) A veterinarian who vaccinates a dog or cat against rabies shall issue to the owner of such dog or cat a vaccination certificate on a form approved by the state department of health. The veterinarian shall also issue a metal tag with the veterinarian's address and the year of the vaccination stamped thereon. Upon vaccination, the veterinarian shall execute and furnish to the owner of the dog or cat as evidence thereof, a certificate of vaccination. The veterinarian shall retain a duplicate copy of the certificate and one copy shall be filed with the owner. Such certificate shall contain the following information:
 - (1) The name, address and telephone number of the owner of the vaccinated dog or cat;

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- (2) The date of vaccination;
 - (3) The type of rabies vaccine used;
 - (4) The year and number of the rabies tag; and
 - (5) The breed, age, color and sex of the vaccinated dog or cat.
- (c) Concurrent with the issuance and delivery of the certificate of vaccination, the owner of the dog or cat shall cause to be attached to the collar or harness of the vaccinated animal a metal tag, serially numbered to correspond with the vaccination certificate number and bearing the year of issuance.
- (d) It shall be unlawful for any person within the city to own, keep, possess, harbor or allow remaining upon premises under his control any dog or cat which has not been vaccinated as required herein. Any person establishing residence within the city shall comply with this article within ten days of establishing such residency.
- (Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-230. Vaccination of impounded animals.

- (a) After impoundment, all animals which are required to be vaccinated by this article which are redeemed by an owner from the animal shelter must be vaccinated against rabies in accordance with the requirements of this article, or the owner thereof must present a veterinarian's certificate showing a current vaccination.
- (b) In order for an animal not vaccinated in accordance with the requirements of this article to qualify for final release, the animal shall be taken to a veterinarian for a rabies vaccination within seven days of conditional release of the animal. The animal shall be confined to the owner's residence until the rabies vaccination is completed. A rabies certificate shall be presented along with an application to obtain a current city license for the animal within seven days of conditional release. Failure to present the vaccination certificate to the animal control division within the stated time shall be grounds for the immediate return of the animal to the animal shelter, and such animal may be destroyed immediately or otherwise disposed of. Such failure shall also constitute a misdemeanor punishable as set out in section 5-3, except that the minimum fine shall be \$200.00.
- (Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-231. Proof of vaccination; dismissal; fine.

The failure of a dog or cat to wear a vaccination tag on a collar shall be prima facie evidence of the failure to vaccinate the animal as required by this article. To prove that a dog or cat was vaccinated at the time of the offense, the owner of the dog or cat must present a copy of the vaccination certificate issued by the veterinarian that shows the date the vaccination was administered. The offense shall be dismissed upon verification that the animal alleged in the offense was vaccinated on the date of the offense with the payment of an administrative fee.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-232. Reporting rabid animals or rabies exposure.

- (a) It shall be the duty of animal owners, veterinarians, physicians other persons to report to the animal control division cases of rabies observed brought to their attention. The report shall be made immediately upon diagnosis or suspicion of a case of rabies.

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- (b) Any person having knowledge of an animal bite or scratch to an individual or to another animal by an animal which the person suspects is rabid shall report that incident to an animal control officer within 24 hours of the occurrence.
 - (c) Every physician or medical practitioner who treats a person for an animal bite or scratch that occurred within the city shall report the occurrence to an animal control officer within 12 hours of treatment to the animal control officer. The physician or medical practitioner shall provide the name, age, sex and precise location of the injured person and such other information as the officer may require.
 - (d) Any veterinarian who clinically diagnoses rabies or any person who suspects rabies in a dog, cat or other domestic or wild animal shall immediately report the incident to the animal control division stating precisely where such animal may be found.
 - (e) If a known suspected rabid animal bites or scratches a domestic animal, the incident shall be reported immediately to the animal control division.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-233. Animal bites and scratch reports; submission to quarantine.

- (a) *Report by victim.* A person who is bitten or scratched by an animal shall report the injury to the animal control division within 24 hours of the occurrence. If the person bitten or scratched is a minor under the age of 17 years, the parent or guardian of the minor with knowledge of the incident, shall report injury to the animal control division within 24 hours of the occurrence.
- (b) *Report of owner.* A person who owns, keeps, harbors or allows an animal to remain on premises under his control and who has knowledge of a bite or scratch shall report the injury to the animal control division within 24 hours of the occurrence.
- (c) *Custody.* The animal committing the act shall be submitted to the animal shelter for quarantine. When the local rabies control authority goes to the premises where the animal that bit or scratched a person is being kept, the animal control officer may take immediate custody of the animal. Where suitable arrangements are made, the local rabies control authority may permit the animal to be transferred to another location for the remainder of the quarantine period. This duty to submit the animal to quarantine shall apply to any person who owns, keeps, harbors, has possession of or allows an animal to remain on premises under his control. If convicted of violating this section, a minimum fine of \$100.00 shall be imposed by the municipal court.
- (d) *Observation.* Any owned dog or cat having bitten or scratched a person shall be observed for a period of ten days from the date of the occurrence. The procedure and place of observation shall be designated by the investigating officer or responsible agency in compliance with state law. If the dog or cat is not confined on the owner's premises for owner's quarantine, confinement shall be by impoundment in the animal shelter, or at a veterinary hospital of the owner's choice. Such confinement shall be at the owner's expense.
- (e) *Strays.* Stray dogs and cats, or other animals whose owners cannot be located shall be confined in the animal shelter for a period of 96 hours and if unclaimed may be destroyed and the brain of such animal immediately submitted to a qualified laboratory for rabies examination.
- (f) *Surrender of animal.* The owner of any dog or cat that has been reported to have inflicted a bite on any person shall on demand produce the dog or cat for impoundment, as prescribed in this chapter.
- (g) *Home quarantine.* Home quarantine may be allowed only in those incidents where permitted by state law and agreed to by the animal control officer. Refusal to produce such dog or cat constitutes a violation of this section, and each day of such refusal shall constitute a separate and individual violation.

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- (h) *Wild, exotic or dangerous animals.* Any wild, exotic or dangerous animal that is considered high risk by state law or regulation and which has bitten or scratched a person shall be caught and humanely killed and the brain submitted for rabies examination. Wild animals which are classified as low risk animals shall be handled as dictated by state law.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-234. Contents of required reports.

- (a) An individual under a duty to report an incident in which an animal has bitten or scratched a person or animal, or to report an animal known or suspected to be rabid, shall report to the animal control officer the following information:
- (1) The location where the bite or scratch occurred.
 - (2) The location where the animal which committed the act, or which is known or suspected to have rabies or have been exposed to rabies can be located.
 - (3) The name and address of the person who was bitten or scratched.
 - (4) The names and addresses of the persons who own, keep or harbor any other animal exposed to rabies can be found.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-235. Quarantine and release.

- (a) When an animal is required to be placed in quarantine, the animal shall be submitted for quarantine at the animal shelter. Only with the prior approval of the local rabies control authority may an animal be held in quarantine at any other location.
- (b) An animal placed in quarantine shall be held for a period of ten days from the date of the bite or scratch. The animal shall not be released from quarantine until such release has been approved by the local rabies control authority.
- (c) Upon release of an animal from quarantine, if the ownership of the animal is known, the owner has five days to claim the animal. If the ownership of the animal is unknown, the animal may be disposed of as provided in this article without waiting for an additional 72 hours.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-236. Submission of head for rabies diagnosis.

- (a) If the animal that inflicted a bite or scratch on a person is a wild animal, the animal shall be humanely destroyed in such a manner that the brain is not mutilated. The head shall then be submitted to a laboratory certified by the Texas Department of State Health Services, or successor authority, for rabies diagnosis.
- (b) If an animal under quarantine becomes ill, it may be humanely destroyed in such a manner that the head is not mutilated. The head shall be submitted to a laboratory certified by the Texas Department of State Health Services, or successor authority, for rabies diagnosis. The head of an animal that dies while in quarantine shall also be submitted for rabies diagnosis.

(Ord. No. 1076 , § 3, 2-4-2020)

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Sec. 5-237. Cost of quarantine or rabies diagnosis.

- (a) If, at the end of the required quarantine period, a quarantined animal is found to be free of rabies, the local rabies control authority shall order the release of the animal to the owner if the rabies vaccination provisions of this article have been satisfied and impoundment fees have been paid by the owner.
- (b) If a head is submitted to the state for rabies diagnosis, the cost of removing the head and shipping it shall be paid by the owner of the animal.
- (c) The local rabies control authority may order that all impoundment fees for the quarantine be paid by the person bitten or scratched if:
 - (1) The animal has a rabies vaccination certificate;
 - (2) The animal was on property under the control of the animal's owner when the bite or scratch occurred; and
 - (3) The bite or scratch occurred when the animal was acting to defend its owner or the property, or after provocation.
- (d) If the animal is a wild animal, the local rabies control authority may order that all fees be paid by the person who was bitten or scratched.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-238. Enforcement.

For the purpose of discharging the duties imposed by this article and to enforce the provisions in this chapter, the animal control division is empowered to enter the premises where an animal is kept or harbored and to require the owner to produce the animal, the registration license or rabies vaccination tag for the animal in accordance with the provisions of this article. The animal control division may also conduct random citywide canvassing and checks for compliance with this chapter.

(Ord. No. 1076 , § 3, 2-4-2020)

Sec. 5-239—5-259. Reserved.

ARTICLE IX. FEES

Sec. 5-260. Fees.

- (a) *Fee schedule.* The fee schedule in appendix A to this Code shall apply to animals and owners or presumed owners of animals kept or harbored within the city limits of Kyle. The city shall not be required to bear the costs associated with processing an animal under this chapter that has an owner. The owner shall reimburse the city for any actual expenses and shall be responsible for all fees set forth in appendix A of this Code. The city may recover all fees, costs, and damages incurred as a result of the animal as restitution in a criminal proceeding under the provisions of this chapter or the state law in addition to a fine being charged. In extraordinary circumstances, certain fees related to redemption of impounded animals may be administratively waived for owners by supervisory approval by the animal shelter. Such administrative actions shall be guided by policy.

(Supp. No. 21)

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- (b) *Management cost.* The city hereby establishes fees to defray the cost of operating the animal control division and for the protection of public health. The fees shall be assessed against the owner or presumed owner of every animal kept or harbored within the city limits. The fees in appendix A of this Code may be amended by ordinance of the city council.
- (c) *Expenses of animal.* In addition to other fees, the owner of an animal kept or harbored within the city limits shall also pay for veterinarian or drug expenses incurred for the animal while in the custody of the animal control division or animal shelter.
- (Ord. No. 1076 , § 3, 2-4-2020)

Attachment D: Buda Ordinance Redline Recommendations:

CHAPTER 4

ANIMALS

ARTICLE 4.01 GENERAL PROVISIONS*

Sec. 4.01.001 Definitions

As used in this chapter, the following terms are defined below:

Abandon. Leaving an animal in the person's custody without making reasonable arrangements for assumption of custody by another person. Community cats returned as part of Trap-Neuter-Return shall not be deemed abandoned.

Animal. A domesticated living creature and wild living creature previously captured. "Animal" does not include an uncaptured wild creature or wild creature whose capture was accomplished by conduct at issue under this section.

Animal at-large. An animal not:

- (1) On the premises of the owner and not tied, staked, or restrained securely within an enclosure or fence capable of fully and totally securing the animal;
- (2) Off the premises of the owner, and not on a leash or physical restraint and under the immediate physical control of a person physically capable of restraining the animal;
- (3) Any cat which is creating a nuisance off the owner's property; or
- (4) Any animal being contained by a fence that, because of the fence's lack of height or general disrepair, cannot properly restrict the animal, shall be considered at-large.

Animal control. The animal control division of the city police department.

(Ordinance 2013-16 adopted 7/2/13)

Animal control officer. A person designated by the city who is qualified and/or certified by the Texas Department of Health to perform such duties as required by this chapter and/or state law such as serving as the local rabies control authority. (Ordinance 2014-13, sec. 1, adopted 5/6/14)

Animal shelter. A facility that keeps or legally impounds stray, homeless, abandoned, or unwanted animals.

Auction. A place or facility where animals are regularly brought, sold, traded, except for those facilities otherwise defined in this chapter. This section does not apply to individual sales of animals by owner.

Bite. A wound that is inflicted by an animal's bite or scratch that causes punctures, tears, scratches or laceration that results in a break of the skin.

Bodily injury. Physical pain, illness or any impairment of physical condition.

Brand. A mark made on the skin of any animal which indicates the ownership of the animal; typically used with livestock.

Cat. Felis Catus as defined in V.T.C.A., Health and Safety Code, section 826.002, as amended.

Circus. A commercial variety show featuring animal acts for the public entertainment.

City mayor. In this title shall mean the city mayor or his/her designee.

Commerce. An interchange of goods or commodities; sells, trades, barter, leases, rents, gives away, or displays.

Commercial animal establishment. Any pet shop or store, grooming shop, guard dog or obedience training center, animal training services, animal auction, riding school or stable, zoological park, circus, performing animal exhibition, or boarding or breeding kennel, petting zoos, aviaries or any similar entrepreneurial relationship regarding animals.

Community Cat. A free-roaming cat who may be cared for by one or more residents of the immediate area who is/are known or unknown; a community cat may or may not be socialized with people/feral.

Community cat caregiver. A person who, in accordance with a good faith effort to conduct Trap-Neuter-Return,

provides care. This care includes providing food, shelter, or medical care to a community cat. However, community cat caregivers are not the owner, harbinger, controller, or keeper of a community cat.

Contained. Kept in a fenced yard or pen with no roof which is sufficiently to prevent escape; or, kept in a pen or other coop or enclosure with a roof sufficient to prevent escape.

Cruel manner. A manner that causes or permits unjustified or unwarranted pain or suffering.

Currently vaccinated. Vaccinated and satisfying the following criteria:

- (1) The animal must have been at least three (3) months of age at the time of vaccination and regular intervals thereafter;
- (2) At least thirty (30) days have elapsed since the initial vaccination; and
- (3) Not more than thirty-six (36) months have elapsed since the most recent vaccination.

Custody. Responsibility for the health, safety, and welfare of an animal subject to the person's care and control, regardless of ownership of the animal.

Dangerous dog. A dog that:

- (1) Makes an unprovoked attack on a person that causes bodily injury and occurs in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own; or
- (2) Commits unprovoked acts in a place other than an enclosure in which the dog was being kept and that was reasonably certain to prevent the dog from leaving the enclosure on its own and those acts cause a person to reasonably believe that the dog will attack and cause bodily injury to that person.

Dangerous wild animal. Shall have the same meaning as defined in V.T.C.A., Health and Safety Code, section 822.101(4)(a)-(i), as amended.

Dog. Canis Familiaris as defined in V.T.C.A., Health and Safety Code, section 826.002, as amended.

Domestic animal. Any animal normally adapted to living in intimate association with humans; includes livestock, caged or penned fowl, pigeons, normal household pets, such as but not limited to dogs, cats, cockatiels, ferrets, hamsters, guinea pigs, gerbils, rabbits.

Eartipping. The removal of the distal one-quarter of a community cat's left ear, which is approximately 3/8-inch, or 1 cm, in an adult and proportionally smaller in a kitten. This procedure is performed under sterile conditions while the cat is under anesthesia, in compliance with any applicable federal or state law, and under the supervision of a licensed veterinarian. Eartips are designed to identify a community cat as being sterilized and lawfully vaccinated for rabies.

Enforcement officers. Those authorized to enforce the provisions of this chapter, including but not limited to the local health authority representative, any animal control officer, or any police officer.

Estray. Stray livestock, stray exotic livestock, and stray exotic fowl, as defined in V.T.C.A., Agriculture Code, section 142.001, as amended.

Exotic animal. Any animal which is not naturally tame or gentle, and is generally not found in the wild in the continental United States, and those defined in V.T.C.A., Agriculture Code, section 142.001(4)-(5), as amended.

Feral. An animal that is free, wild, untamed or unaccustomed to human contact.

Fowl or poultry. Any bird, wild or domesticated, such as but not limited to chickens, turkeys, ducks, geese, peacocks, pheasants, quail, or other fowl regardless of age or sex, except common household pets such as parakeets, parrots and etc.

Grooming shop. A commercial establishment where animals are bathed, clipped, plucked or otherwise groomed.

Guard or attack dog. Any dog professionally trained for the purpose of protecting persons or property by attacking or threatening to attack any person found within the area patrolled by the dog, and that dog is either securely enclosed within that area at all times or under continuous control of a trained handler or owner.

Habitual offender or habitually. Owner who has received two or more final convictions of this article or the owner of an animal who has been the subject of impoundment in the animal shelter three or more times during a 12-month period or any combination of convictions and impoundment totaling three incidents.

Harboring or harbor. The act of keeping and caring for an animal or providing a premises to which the animal returns for food, shelter or care for a period of three days.

Hen. Any female chicken of the age of six (6) months or older.

Home quarantine. An animal owner who quarantines an animal at their personal residence with an animal control officer's permission and with compliance to set guidelines and requirements established by the animal control department.

Impoundment. To house an animal by the city, at the owner's expense, in a city-owned or city-designated facility or at the office of an area veterinarian approved by the director.

Inoculated.

(1) A dog that is injected with a vaccination on an annual basis to produce immunity against parvo, distemper; or

(2) A cat that is injected with a vaccination on an annual basis to produce immunity against infectious feline diseases, for panleukopenia, viral rhino tracheitis, and calicivirus.

Intact. An animal that has not been spayed or neutered.

Interfere. To prevent a process or activity from being carried out properly; or obstruct the other's action or; hamper or hinder another's action or; take part in the affairs of others; or to meddle in another's life.

Kennel or cattery. Any shelter where more than three dogs or more than three cats, or more than three dogs, bred, boarded, or held in return for payment. It includes the term "boarding kennel" or cattery.

Licensed veterinarian. A veterinarian licensed to practice veterinary medicine in one or more of the 50 states as defined in V.T.C.A., Health and Safety Codes, section 826.002, as amended.

Livestock. Cattle, sheep, swine, goats, ratites, or poultry raised for human consumption: a horse, pony, mule, donkey, or hinny, native or nonnative hoofstock raised under agricultural practice, defined in V.T.C.A., Penal Code, section 42.09, as amended.

Microchip implant. A passive electronic device that is injected into an animal by means of a hypodermic-type syringe device.

Microchip reader. An electronic scanner with an operating frequency that is able to detect a microchip that has been implanted in an animal, and display the number of the microchip to its operator.

Miniature livestock. Livestock that meet the published breed definition for registration by a nationally recognized breeding association.

Multi-pet owner. A person who keeps or harbors more than five cats or dogs or any combination of five cats and dogs. Puppies and kittens under three months of age shall not be counted for purposes of this definition.

Muzzle. A device constructed of strong, soft material or of metal, designed to fasten over the mouth of an animal to prevent the animal from biting any person or other animal.

Observation period. A period in which the domesticated animal is kept in isolation at the animal shelter or home, under close observation for clinical signs of rabies or other zoonotic diseases that is set forth by the Texas Department of Health. The duration will start on the day of exposure and continue in twenty-four (24) hour increments until completed or testing is preformed and completed. The duration will be in compliance with the Texas Department of Health's guidelines for quarantine. As defined in Administrative Codes, section 169.27, as amended.

Owner or presumed owner. Any person or persons, firm, association or corporation, having temporary or permanent custody of, sheltering or having charge of, care of, harboring, exercising control over, or having property rights to, or who knowingly allows an animal to remain on the person's property. An animal shall be deemed to be harbored if it is fed or sheltered for three (3) or more consecutive days. Owner does not include a community cat caregiver.

Owner surrender. A voluntary surrender of animal(s) to animal control or the contracted shelter.

Performing animal exhibitions. Any spectacle, display, act, or event (other than circuses) in which performing animals are used. This shall include animal amusement vendors, such as but not limited to, pony-go-round rides, commercial horseback pictures, etc.

Person. An individual, corporation, or association.

Pet shop. Any person, partnership, or corporation, whether operated separately or in a connection with another business enterprise (except for licensed kennels and veterinarian facilities), that buys, sells, or boards any species of animal.

Poison. A substance having an inherent harmful property which renders it, when taken into the system, capable of destroying animal life.

Possible exposure to rabies. Receipt of a bite, scratch, or potential contact from any warm blooded animal, animal to human, or animal to animal.

Premises. The grounds and all buildings, vehicles, and appurtenances pertaining to the grounds, including any adjacent premises if they are directly or indirectly under the control of the same person.

Proof of rabies vaccination. Documentation from a veterinarian licensed to practice in the state that the animal has been vaccinated with a rabies vaccine licensed for use in that species by the United State Department of Agriculture and/or the Texas Department of Health.

Proper enclosure. A house or a building, or in the case of a fence or structure/pen must form an enclosure suitable to prevent entry of young children and must be locked and secured such that an animal cannot climb, dig, jump or otherwise escape of its own volition.

Provocation. Any purposeful act that causes an animal to bite, scratch, or attack in protection of self or food, kennel, or nursing offspring, owner, or owner's premises. Entrance, in any manner, into an area where an animal is properly under restraint in compliance with city ordinances would be considered provocation, irrespective of the reason for such entrance unless performing a service to the owner's property with consent (call for service).

Public nuisance animal. Any animal that unreasonably annoys humans, endangers the life or health of persons or other animals, or substantially interferes with the rights of citizens, other than their owners, to enjoyment of life or property.

Quarantine. Strict confinement of an animal specified in an order of the board or its designee:

- (1) On the private premises of the animals owner or at a facility approved by the board or its designee; and
- (2) Under restraint by close cage or paddock in any other manner by board rule.

Quarantine period. A period used for observation of a domestic or pet animal to determine the health status of that animal in relation to the rabies virus.

Rabies. The acute viral disease of man and animal affecting the central nervous system and usually transmitted by an animal bite or scratch.

Restraint. Any animal secured by a leash, lead, chain or tether and under the direct physical control of a responsible person. At all other times, a dog or other animal shall be confined to the realty or premises of the owner.

Riding school or stable. Any place that has available for hire, boarding, and/or riding instruction, any horse, pony, donkey, mule, or burro; or any place that regularly buys, sells, or trains the above animal, including a racetrack, trotting track, or rodeo.

Rooster. Any male chicken of the age of six (6) months or older.

Scratch. A scrape left by the claws or teeth of an animal that causes a break in the skin.

Serious bodily injury. An injury characterized by severe bite wounds or severe ripping and tearing of muscle that would cause a reasonable prudent person to seek treatment from a medical professional and would require hospitalization without regard to whether the person actually sought medical treatment. As defined in V.T.C.A., Health and Safety Code, section 822.001, as amended.

Service dog. A dog that is specially trained or equipped to help a person with a disability.

Severe injury. Any physical injury that results in broken bones, multiple bites, or disfiguring lacerations requiring sutures or reconstructive surgery.

Sick or injured animal. Any animal that appears to be suffering from an infectious, contagious, or communicable disease; or that is showing evidence of a physical injury, physical disorder, or traumatic injury; or that has an

elevated temperature, depressed heart rate, or inability to ambulate.

Small animal. An animal less than 5 pounds and kept domestically, including a rabbit, guinea pig, rat, mouse, hamster, or gerbil.

Stray. Roaming with no physical restraint beyond the premises of an animal's owner or keeper.

Sufficient shelter. Reasonable shelter with a roof and three (3) solid sides that is capable of protecting the animal from the elements and shall be situated so there is a buffer area between it and neighboring property with sufficient access to allow the sufficient shelter to be effectively cleaned and which sufficient shelter shall be kept cleaned and not create an unsightly structure.

Tag. A metal/plastic tag attached to a collar as required by this chapter or some other permanent identifying device attached to a collar or to an animal.

Tattoo. A permanent mark which is made on the skin of an animal by puncturing the skin and inserting indelible color, and which is used to show ownership.

Tethering. Using a chain, rope, tether, leash, cable, or other device to attach a dog to a stationary object or trolley system.

Trap-Neuter-Return. The nonlethal process of humanely trapping, sterilizing, vaccinating for rabies, ear-tipping, and returning community cats to their original home location.

Unprovoked. A dog attacks or attempts to inflict bodily injury on a person when the dog was not hit, kicked, or struck by the person with an object or a part of the person's body nor was any part of the dog's body pulled, pinched, or squeezed by the person, nor was the dog taunted or teased by the person.

Vaccinated. Properly injecting with a rabies vaccine licensed for use in that species by the United States Department of Agriculture and administered by a veterinarian licensed to practice in the state in an amount sufficient to provide immunity.

Veterinary hospital. Any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis, and treatment of diseases and injuries of animals.

Vicious animal. An animal that initiates an unprovoked attack upon a person or other animal, maintaining continuous physical contact and fails to retreat. The attack must result in bodily injury to the victim.

Vicious dog. Any individual dog that has on three previous occasions, without provocation, attacked or bitten any person or other animal causing bodily injury, or any individual dog which the animal control department or his representative has reason to believe has a dangerous disposition likely to be harmful to humans or other animals.

Wild animal. Any animal except the common domestic species (including, but not limited to, dogs, cats, horses, cattle, swine, sheep, and goats), regardless of the state or duration of captivity.

Wildlife. A species, including each individual of a species that normally lives in a state of nature and is not ordinarily domesticated. This shall apply regardless of state or duration of captivity. The term shall include but is not limited to: foxes, cougars, coyotes, raccoons, and all forms of poisonous or constricting reptiles, and other like animals.

Zoological park. Any facility operated by a person, partnership, corporation, or government agency, other than a pet shop or kennel, displaying or exhibiting one or more species of no domesticated animals.

Sec. 4.01.002 Penalty

(a) Any person who shall violate any of the provisions of this chapter, or fail to comply therewith any of the provisions thereof, shall be guilty of a misdemeanor, upon conviction shall be:

(1) A person who violates this title commits a class C misdemeanor punishable by:

(A) A fine not to exceed \$500.00; or

(B) If the person acts with criminal negligence, a fine not to exceed \$2,000.00.

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

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

(4) Except as provided in subsections (5) and (6) below, the minimum fine for an offense under this chapter is \$50.00.

(5) The minimum fine for an offense under (dangerous animals) is \$100.00.

(6) The minimum fine for an offense under (unrestrained dog prohibited) is \$200.00 if the animal is not sterilized.

(7) A person commits an offense if the person has been issued a citation and the person fails to enter a plea to a charge indicated on the citation on or before the appearance date indicated on the citation.

(8) A person commits an offense if the person gives a false or fictitious name, address, or other information to the enforcement officer or designated employee at the time the enforcement officer or designated employee issues the person a citation.

(b) All fees for licensing, daily handling, impoundment, disposal, quarantine, lost or destroyed tags, and/or transfer to the animal shelter are stated on the schedule of fees to be revised from time to time by the animal control department, municipal court and approved by the city council. A copy of the schedule of fees can be obtained from the local animal control department, municipal court or the city council.

(Ordinance 2013-16 adopted 7/2/13)

ARTICLE 4.02 ADMINISTRATION AND ENFORCEMENT

Sec. 4.02.001 Animal control officers

An animal control officer(s) shall be appointed by the mayor with the approval of the city council to serve as the local rabies control authority, and enforce all provisions of this chapter, including gathering up and impounding or quarantining any livestock, fowl, cats, dogs, or other domestic and nondomestic animals found running at-large (stray) within the city limits. (Ordinance 2014-13, sec. 2, adopted 5/6/14)

Sec. 4.02.002 Inspection of animals and premises

Animals and premises whereon animals are kept or maintained shall be subject to inspection by the city, or an animal control officer, at any reasonable hour, or at any hour in cases of emergency. (Ordinance 900605-1, sec. 5.01, adopted 6/5/90)

Sec. 4.02.003 Abatement of violations

Whenever any premises where animals are kept are in an insanitary condition, or the facilities are not in keeping with the provisions of this chapter or any other regulations herein, or if any health ordinance or law is not observed, the city or its representative, by written notice to the person responsible for the condition of the premises, may order the abatement of the conditions which are not in accordance with this chapter or other regulations, or conditions which constitute a nuisance. Failure to comply with such order shall, in addition to any criminal or administrative proceedings, be grounds for and entitle the city to obtain relief by injunction. (Ordinance 900605-1, sec. 5.02, adopted 6/5/90)

Sec. 4.02.004 Compliance with other ordinances

The keeping of any animal in accordance with the provisions of this chapter shall not be construed to authorize the keeping of the same in violation of the zoning ordinance or any other ordinance of the city. (Ordinance 900605-1, sec. 5.03, adopted 6/5/90)

Sec. 4.02.005 Enforcement generally; interference with enforcement

The civil and criminal provisions of this chapter shall be enforced by those persons or agencies designated by municipal authority. It shall be a violation of this chapter to interfere with an animal control officer or humane officer in the performance of his duties. (Ordinance 900605-1, sec. 5.04, adopted 6/5/90)

Sec. 4.02.006 Fees

(a) Standard licensing fee. As provided in appendix A to this code.

(b) Permits. A permit shall be issued after payment of the applicable fee as provided in

appendix A to this code.

(c) Impoundment fee. An impoundment fee must be paid for each animal captured as provided in appendix A to this code.

(d) Boarding fee. A boarding fee must be paid for each animal confined by the animal shelter. Owners must pay fees established by the animal shelter before their animals are released to them.

(Ordinance 900605-1, sec. 5.05, adopted 6/5/90; Ordinance adopting Code)

ARTICLE 4.03 LICENSES AND PERMITS

Sec. 4.03.001 Dog and cat licenses

(a) An owner of any dog or cat over three (3) months of age within this municipality must obtain a license as herein provided.

(b) Written application for licenses, which shall include the name, address, and phone number of the applicant, a description of the dog or cat, the appropriate fee as listed in the fee schedule section of this chapter (section 4.02.005), and a rabies certificate issued by a licensed veterinarian, shall be made to the city or its designee.

(c) If not revoked, licenses for the keeping of dogs and cats shall be an annual requirement for the July 1 through June 30 time period.

(d) Application for a license must be made within thirty days after obtaining a dog or cat over three months of age; this requirement will not apply to a nonresident keeping a dog or cat within the municipality for not longer than sixty days.

(e) License fees shall not be required for Seeing Eye dogs, hearing dogs, governmental police dogs, or other dogs that are trained and being used to assist the physically handicapped.

(f) Upon acceptance of the license application and fee, the city or its designee shall issue a durable tag or identification collar, stamped with an identifying number and the year of issuance. Tags shall be designed so that they may be conveniently fastened or riveted to the animal's collar or harness.

(g) Each dog and cat must wear an identification tag attached to a properly fitted collar at all times. Community cats are not required to wear an identification tag.

(h) The city or its designee shall maintain a record of the identifying numbers of all tags issued and shall make this record available to the public during normal business hours.

(i) It shall be the duty of the owner of any dog or cat to procure a duplicate tag from the city or its designee in the event that the original tag is lost or destroyed. There will be a fee charged for each replacement tag.

(j) No person may use a license for any animal other than the animal for which it was issued.

(k) Community cat caregivers are exempt from this section.

(Ordinance 900605-1, sec. 2.01, adopted 6/5/90)

State law reference—Registration of dogs and cats, V.T.C.A., Health and Safety Code, sec. 826.031 et seq.

Sec. 4.03.002 Commercial animal establishment permits

(a) Required conditions:

(1) No person, partnership, or corporation shall operate a commercial animal establishment, kennel, or cattery unless the establishment is located in an area zoned for

such use and unless a permit has first been obtained in compliance with this section.

(2) The city shall promulgate regulations for the issuance of permits and shall include requirements for humane care of all animals and for compliance with the provisions of this chapter and other applicable laws. The city may amend such regulations from time to time as deemed desirable for public health and welfare and for the protection of animals.

(3) When a permit applicant has shown that he is willing and able to comply with the regulations promulgated by the city, a permit shall be issued upon payment of the applicable fee.

(4) The permit period shall begin with the calendar year and shall run for one year. Renewal applications for permits may be made thirty days prior to, and are due at, the start of the calendar year. Application for a permit to establish a new commercial animal establishment under the provisions of this chapter may be made at any time. The fees for a new establishment shall be prorated per months left in the calendar year.

(5) Permits are not transferable. If there is a change in ownership of a commercial animal establishment, the new owner must apply for a new permit.

(6) No person shall train any dog to be used as a guard or sentry dog without possessing a valid state license and a valid city license. This subsection shall not apply to the United States, the state, or any of their political subdivisions or agencies. The application for a guard or sentry dog training license shall state the name, address, and phone number of the owner and trainer, the location of the facility, and the maximum number of dogs to be housed at the training facility.

(7) Annual permits shall be issued upon payment of the applicable fee as listed in the fee schedule.

(8) Every facility regulated by this chapter shall be considered a separate enterprise requiring an individual permit.

(9) Persons operating kennels for the breeding of dogs or cats must license such animals over three (3) months of age individually.

(10) Fees shall not be required of any veterinary hospital, animal shelter, government-operated zoological park, school district, or civic or charitable organization, but all other applicable regulations shall apply.

(11) Failure to obtain a permit before opening any facility covered in this section shall result in a fine of \$200.00.

(12) Any person who has a change in the category under which a permit was issued shall make an application for the reclassification of the permit.

(b) Issuance; revocation.

(1) After an application for a commercial animal establishment is filed, the city shall inspect the facility prior to issuing the permit. The city may revoke any permit or license if the person holding the permit or license refuses or fails to comply with this chapter, the regulations promulgated by the city, or any law governing the protection and keeping of animals.

(2) Any person whose commercial animal establishment permit or license is revoked shall, within ten days thereafter, humanely dispose of all animals owned, kept, or harbored. No part of the permit or license fee shall be refunded.

(3) It shall be a condition of the issuance of any commercial animal establishment permit or license that the city shall be permitted to inspect all animals and the premises where animals are kept at any time and shall, if permission for such inspection is refused,

revoke the permit or license of the refusing owner.

(4) If the applicant has withheld or falsified any information on the application, the city shall refuse to issue the permit or license.

(5) No person who has been convicted of cruelty to animals shall be issued a permit or license to operate a commercial animal establishment.

(6) Any person having been denied a commercial animal establishment license or permit may not reapply for a period of thirty (30) days. Each reapplication shall be accompanied by a fifty percent (50%) of full year fee.

(7) Any permit or license that is issued based upon an application that is subsequently found to be incomplete or false in any manner is void.

(Ordinance 900605-1, sec. 2.02, adopted 6/5/90)

State law reference—Licensing and duties of guard dog companies, V.T.C.A., Occupations Code, sec. 1702.109 et seq.

ARTICLE 4.04 ANIMAL CARE AND CONTROL

Sec. 4.04.001 Restraint requirements on private property

(a) All animals, with the exception of cats, shall be kept under restraint and not allowed to run at-large.

(b) Any animal in violation of this section may be subject to impoundment and its owner may be issued a citation.

State law reference—Restraint, impoundment and disposition of dogs and cats, V.T.C.A., Health and Safety Code, sec. 826.033.

Sec. 4.04.002 Tethering

(a) It shall be unlawful for any person to tether, chain or fasten any animal in such a manner as to permit it to be upon any public sidewalk or street or to leave it unattended while tethered, chained or fastened on public property.

(b) It shall be unlawful for any person to tether an animal to a doghouse, trees, stakes, poles, fences, walls, or any other stationary objects outdoors or indoors as a means of confinement. If an animal is confined on a tether which is not attached to a stationary object as described above, the following conditions must be met:

(1) Only one animal may be tethered to each cable run.

(2) The tether must be attached to a properly fitting collar or harness worn by the animal, with enough room between the collar and the animal's throat through which two fingers may fit. Choke collars and pinch collars are prohibited for purposes of tethering an animal to a cable run.

(3) There must be a swivel on at least one end of the tether to minimize tangling of the tether.

(4) The tether and cable run must be of adequate size and strength to effectively restrain the animal and must weigh no more than 1/18 of the animal's body weight.

(5) The cable run must be at least fifteen (10) [sic] feet in length and mounted to either a swivel tie-out or to a cable/trolley/pulley system.

(6) The cable must keep the animal (5) feet from any public sidewalk, street or enter upon public property other than the property owners.

(7) The length of the tether from the cable run to the animal's collar should allow access to the maximum available exercise area and should allow continuous access to water, food, shelter, shade and a dry area. The animal must be able to have space to urinate or

defecate in a separate area from the area where it must eat, drink or lie down. The tether system must allow the animal to be able to escape harm. The tether system must be of appropriate configuration to confine the animal to the owner's property, to prevent the tether from extending over an object or an edge that could result in injury or strangulation of the animal, and to prevent the tether from becoming entangled with other objects or animals.

(8) Any animal tethered as described in subsections (1) through (7) above must be removed from the tether at least once a day for adequate exercise.

(c) The owner of the animal or the person actually tying or staking the animal shall be responsible for the offense.

Sec. 4.04.003 Vicious animals prohibited

Except as provided below by this article, a person may not keep, raise, harbor, use, possess, or have on the person's property, or under the person's control or attempted control a vicious animal.

(1) The animal is being held in a zoo, shelter, museum or educational or medical institution;

(2) The animal is part of a temporary public exhibition by a circus, carnival or other traveling exhibition;

(3) The animal is at or in transit to a licensed veterinary clinic; or

(4) The person holds in possession of the animal holds a license or permit by the Texas Parks and Wildlife Department that authorizes the person to attempt to rehabilitate the vicious animal.

State law reference—Authority of city to regulate the keeping of dangerous dogs, V.T.C.A., Health and Safety Code, sec. 822.041 et seq.

Cross reference—Chapter 4, Article 4.07, Dangerous Animals

Sec. 4.04.004 Authority to slay animals running at-large

If an animal found at-large in violation of this chapter cannot be safely taken up and impounded, such animal may, if deemed necessary, be slain by authorized law enforcement officers or animal control officer.

Sec. 4.04.005 Animal care

(a) No owner of an animal shall abandon such animal. If an owned animal has been impounded by the animal control officer, no owner shall allow the animal to remain in the animal shelter beyond 72 hours maximum, for the purpose of adopting the animal at a lower cost than the fine fee(s).

(b) No person, except a person licensed by the Texas Parks and Wildlife Department, shall place or set out a steel jaw, leg or neck traps with the intent of trapping animals.

(c) Any person who, as the operator of a motor vehicle, strikes an animal shall as soon as practicable report injury or death to the animal control officer or the humane society so that the animal may be picked up.

(d) An animal's owner shall keep the animal in a clean, sanitary, and healthy condition.

(e) 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) Veterinary care and medical treatment for injuries, parasites, and diseases that is sufficient to maintain the animal in good health and minimize suffering.

(f) An animal's owner shall provide the animal with shelter that:

- (1) Is large enough for the animal to enter, stand, turnaround, and lie down in a natural manner; a structure with three sides, a roof and a floor that prevents rain or other precipitation from entering; or a structure of dome, or other, shape with a floor that provides the animal with shelter from all weather conditions;
- (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;
- (5) Is adequately ventilated; and
- (6) Large livestock shall be exempted.
- (g) 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.
- (h) An animal's owner shall regularly maintain the animal and its shelter to prevent odor or a health or sanitation problem.
- (i) 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.
- (j) It is an affirmative defense to prosecution under this section that the animal's treatment was as directed by a licensed veterinarian.
- (k) An animal's owner shall provide grooming when lack thereof would adversely affect the health of the animal.

State law references—Cruelty to animals, V.T.C.A., Penal Code, sec. 42.09.

Sec. 4.04.006 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 owner shall ensure the animal will remain in the unenclosed vehicle. The owner shall remain with the animal if the unenclosed vehicle is parked upon public streets, parking lots or private property other than the owner.
- (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) If a peace officer or animal control officer determines that the animal(s) left in the vehicle is in danger of death or serious injury as a result of the confinement, they may use any means reasonable to remove the animal. 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 in accordance with this subsection is not liable for any resulting property damage.
- (c) Instances where occupants of motor vehicles are involved in a traffic accident or other vehicle-related incidents which result in animals being left uncontrolled or unattended, animal control or police officers of the city are authorized to take welfare custody of such unattended animals.
 - (1) In the interest of the health, safety or welfare of such animals, officers are authorized to transport such animals to the city's animal shelter, a veterinarian or an

animal emergency clinic. Information shall be provided to the animal's owner as to the animal's disposition.

(2) Animal owners shall bear full cost and expense incurred by the city in the care, medical treatment, impoundment costs or other associated costs.

Sec. 4.04.007 Keeping dogs, cats or other domestic animals

(a) Maximum number of dogs and cats. It shall be unlawful for any person to own, keep, or harbor more than five (5) dogs or (5) cats over three (3) months of age, or any combination of five dogs and cats at any one address or location within the city limits.

This shall not apply to a community cat caregiver.

(b) Keeping dogs at location other than owner's residence. All persons residing in the city who own one or more dogs must keep such dog or dogs at the residential premises permanently occupied and inhabited by said dog owners. It shall be unlawful for said dog owners to keep their dog or dogs at any other location within the city limits. Animals found at a property where an owner does not reside will be considered abandoned and subject to impoundment.

(c) Exceptions. Subsections (a), (b), and keeping of hogs, swine, potbellied or miniature pigs shall not apply to animal shelters, veterinary establishments, animal hospitals operated by a licensed veterinarian, or commercial animal establishments located on property zoned for such purposes. Such establishments, however, must meet sanitation requirements and keep animals securely caged or penned.

Sec. 4.04.008 Keeping of wild animals

(a) No person shall own, possess, or have custody on his premises any wild or vicious animal (including a reptile) for display, training, or exhibition purposes, whether gratuitously or for a fee. This section shall not be construed to apply to zoological parks, performing animal exhibition, circus, or veterinary hospitals.

(b) No person shall keep or permit to be kept any wild animal, including a poisonous or otherwise dangerous reptile, as a pet, unless licensed to do so by the Texas Parks and Wildlife Department section 43.

State law reference—Dangerous wild animals, V.T.C.A., Health and Safety Code, sec. 822.101 et seq.

Sec. 4.04.009 Performing animal exhibitions

(a) No person may sponsor, promote, train an animal to participate in, contribute to the involvement of an animal in, or attend as a spectator any activity or event in which any animal engages in unnatural behavior or is wrestled, fought, mentally or physically harassed, or displayed in such a way that the animal is abused or stressed mentally or physically, or is induced or encouraged to perform through the use of chemical, mechanical, electrical, or manual devices in a manner that will cause or is likely to cause physical injury or suffering. This prohibition applies to events and activities taking place in either public or private facilities or property, and applies regardless of the purpose of the event, whether for free or for a fee to entrants or spectators.

(b) All equipment used on a performing animal shall fit properly and be in good working condition.

Sec. 4.04.010 Removal of animal waste

The owner of every animal shall be responsible for the removal of any excreta deposited by his animal(s) on public areas, or private property including the property of the owner.

Sec. 4.04.011 Dumping of dead animals, filth or rubbish; prohibited

No person shall deposit any dead animal or excrements or filth from privies or any hay, straw, dirt or rubbish of any kind or description or any filthy water or manure upon any streets, alleys or public or private property in the

Commented [MA1]: We really do not recommend pet limits. They're difficult to enforce and the number of animals selected is totally arbitrary. Every person is different and care for a different number of animals.

This does not prevent hoarding (a psychological disorder). It simply prevents a person opening up their home to another animal. Nuisance provisions sufficiently cover any potential issues that could arise.

city.

Sec. 4.04.012 Storage of feed

All feed provided for animals shall be stored and kept in a ratproof, flytight building, box, container, or receptacle. Horse stables, kennels, catteries, shelters, veterinarian establishments must carry out a continuous, active pest control program to control the spread of diseases.

Sec. 4.04.013 Livestock

(a) Keeping generally; number of animals. It shall be unlawful for any person to keep livestock within the corporate limits of the city unless the livestock is being kept in accordance with the following restrictions:

(1) Livestock shall be kept on a parcel of land that is at least one-half (1/2) acre in size and (50) feet from a residence other than the livestock owner.

(2) There shall be no more than one unit (as defined below) of livestock for the first one-half acre of land. There shall be no more than one additional unit of livestock for each additional one-half acre of land in the same parcel. For the purpose of this subsection, units of livestock shall be defined as follows:

(A) The following types of livestock shall be counted as one head equals one unit: horse, stallion, mare, gelding, filly, colt, mule, hinny, jack, Jenny, llama, and all species of cattle.

(B) The following types of livestock shall be counted as one head equals one-fifth of a unit: emu, ostrich, rhea, all species of sheep, and all species of goats.

(3) Livestock shall be enclosed with adequate fences or barriers that will prevent such livestock from damaging shrubbery or other property situated on adjacent property. Such fences or barriers shall be sufficient to prevent the livestock from escaping the enclosure.

(4) The owner keeping any livestock shall keep all yards, barns, pens, stables, sheds or other enclosures in which such animals are confined in such a manner so as not to give off odors offensive to persons of ordinary sensibilities in the immediate vicinity, or to breed or attract flies, mosquitoes or other noxious insects or rodents, or in any manner to endanger the public health, safety, or welfare, or to create a public nuisance. Barns, stables, corrals, sheds, pens or other similar structures or enclosures where livestock may be housed, fed, or confined shall not be located within one hundred (100) feet of any residence, business, or commercial establishment (other than the animal owner's residence), business, or commercial establishment.

(5) Subsections (1) through (4) above shall not apply to a licensed veterinarian at the veterinarian's place of business or a riding stable/school or academy.

(6) It is a defense to prosecution for an offense under this section that the person is enrolled in FFA/4-H and be in compliance with the programs guidelines.

(b) Keeping of livestock near city water supply. It is unlawful and constitutes an offense for any person, whether for himself or as the agent or servant of another or others, to keep or to participate in keeping any animal (animal made to reference any horse, hog, cattle, sheep, goat, other livestock and/or fowl) in any pen or lot used to confine any such multiple animal operation within 500 feet of any water supply wells from which the city obtains its principal water supply as specified in the official Texas Administrative Code published under authority of the Secretary of State, title 31, natural resources and conservation, section 290.41(c)(1)(C)(D)(F).

(c) Keeping of hogs, swine, potbellied or miniature pigs. It shall be unlawful for any person to keep, harbor or raise adult potbellied pigs, hog, miniature pigs and swine in any residence or realty within the city.

Sec. 4.04.014 Chickens

No person shall keep, feed, raise, or maintain chickens in a residential area within the city except under the following conditions:

- (1) The chicken shall be contained within and have access to sufficient shelter.
- (2) The sufficient shelter shall be located on the owner's property and kept 50 ft. from neighboring residences.
- (3) The maximum number of adult chickens that may be kept on any residential property or lot of one-half (1/2) acre or less is six (6).
- (4) If the residential property or lot is one acre or more a total of twelve (12) adult chickens may be kept on the property. In no event shall more than twelve (12) adult chickens be kept on any residential lot of an acre or more.

Sec. 4.04.015 Roosters

- (a) No person shall keep, feed, raise, or maintain roosters in a residential area within the city unless granted a permit by the city.
- (b) A resident may apply for a permit to maintain one (1) rooster on the property for the purpose of breeding only. The permit may be revoked if there are any violations.

Sec. 4.04.016 Honeybees

No person shall construct, place or maintain any beehive within 300 feet of any residence other than that of the owner except with the consent of the occupants of all such residences.

Sec. 4.04.017 Ferrets

- (a) It shall be unlawful for any person to keep, harbor, or raise more than four (4) adult ferrets in any one (1) residence within the city.
 - (b) It shall be unlawful for any person to keep, harbor, or raise a ferret that has not received annual ferret rabies and distemper vaccinations and that is not spayed or neutered.
 - (c) Cages used for keeping of ferrets shall be made to prevent the animal from escaping.
- (Ordinance 2013-17 adopted 7/2/13)

ARTICLE 4.05 IMPOUNDMENT***Sec. 4.05.001 Generally; violation notice**

- (a) Unrestrained dogs, cats, other than healthy eartipped cats, and nuisance animals may be taken by the animal control officers or law enforcement officers and impounded in an animal shelter and there confined in a humane manner. Any animal that poses a threat to public health and safety, any wild animal kept illegally, or any animal that has been cruelly treated or abused shall be impounded. For purposes of discharging the duties imposed by the provisions of this chapter or other applicable laws, and to enforce the same, duly authorized representatives or employees may enter upon private property to the full extent permitted by law, which shall include but not be limited to entry upon private unfenced property when in pursuit of any animal which he/she has reason to believe is subject to impoundment pursuant to the provisions of this chapter or other applicable laws.
- (b) Impounded dogs, cats, other domestic animals, and livestock shall be kept for not fewer than 72 hours unless claimed by the owner.
- (c) Wild cats, dogs, or other animals may be kept 0 to 72 hours at the discretion of the animal control officer and animal shelter staff.
- (d) Sick or injured animals wearing no apparent identification through which ownership

can be determined may be kept 0 to 72 hours at the discretion of the animal control officer and animal shelter staff after consultation with a licensed veterinarian.

(e) If, by a license tag or other means, the owner of an impounded animal can be identified, the animal control officer shall immediately upon impoundment notify the owner by direct contact, telephone, mail, or other reasonable means that the animal has been impounded, who to contact to obtain the animal's release and a general statement describing the conditions that must be met to obtain the animal's release.

(f) An owner reclaiming an impounded dog or cat shall pay all impounding fees and licensing fees according to the fee schedule and boarding fees as set by the custodian of the animal, which fees shall be reasonable and not clearly excessive. If no proof of a current rabies vaccination can be produced, the owner will be charged for a rabies vaccination and given a coupon to obtain a rabies vaccination from any veterinarian. Impoundment and boarding fees for all other animals shall be according to the fee schedule. Subsequent impounds occurring within twelve months shall be charged double the scheduled fees.

(g) No sick impounded animal shall be released to the owner until the animal control officer shall be satisfied that arrangements have been made for proper treatment of the sick animal.

(h) Any dog or cat not reclaimed by its owner within 72 hours shall become the property of the local government authority or humane society and shall be placed for adoption in a suitable home ~~or~~ or humanely euthanized. Alternatively, cats may be sterilized, vaccinated, ear-tipped and returned to the location where trapped or directed to a Trap-Neuter-Return program. Other impounded animals not reclaimed by an owner within 72 hours shall become the property of the local government authority or humane society and shall be humanely euthanized or sold at public auction following the procedure outlined in section 4.05.002 of this chapter.

(i) In addition to, or in lieu of, impounding an animal found at large, the animal control officer or law enforcement officer may issue to the known owner of such animal a notice of ordinance violation. A person who is convicted of owning an animal at large shall pay a fine as listed in the penalty schedule of this chapter (section 4.01.002). Subsequent convictions of this subsection within a 12-month period shall double the minimum applicable fine.

(j) The licensing authority shall review automatically all licenses issued to animal owners against whom three or more ordinance violations have been assessed in a twelve-month period. Appropriate legal action may be taken against the owner as specified in section 4.01.002 of this chapter.

(k) The shelter director shall keep complete records of the care, feeding, veterinary treatment, and disposition of all animals impounded at the shelter.

(Ordinance 900605-1, scc. 3.02, adopted 6/5/90)

Sec. 4.05.002 Sale of unredeemed animals other than dogs or cats

(a) For any unredeemed impounded animal except a dog or cat, the animal control officer or shelter director shall, within seventy-two (72) hours after such animal has been impounded, post two notices, one at city hall and one in some other public place, giving therein a full description of such animal, which date of sale shall not be less than ten (10) calendar days from the date of posting notice, and said animal shall be sold at a public auction to the highest bidder for cash.

(b) The owner of any animal impounded may reclaim the same from the animal shelter at

any time before the sale by paying all fees, fines, and expenses of taking up and keeping such animal.

(c) The animal control officer or shelter director shall keep a well-bound book in which shall be recorded a description of all animals impounded, the date and time of impoundment, the date of sale, the amount realized from the sale, the fees and expenses due for impounding and keeping same, the name of the owner, if known, and the name of the purchaser.

(d) At any time within fourteen (14) calendar days from the date of the sale, the owner of any animal impounded and sold under the provisions of this chapter shall have the right to redeem the same by paying to the purchaser thereof double the amount paid by said purchaser for such animal in addition to reasonable expenses incurred by the purchaser in keeping the same.

(Ordinance 900605-1, sec. 3.04, adopted 6/5/90)

ARTICLE 4.06 RABIES CONTROL*

Sec. 4.06.001 Rabies vaccination

(a) It shall be unlawful for any person to own, keep, harbor, or have custody or control of a dog or cat within the city unless such dog or cat is currently vaccinated against rabies by the injection of antirabies vaccine by or under the direct supervision of a licensed veterinarian. (Ordinance adopting Code)

(b) Every owner of a dog or cat immunized against rabies as required herein shall procure a rabies vaccination certificate from the veterinarian administering the vaccine. Such certificates shall contain the following information:

- (1) Owner's name, address, and telephone number.
- (2) The species, sex, age, size (lbs.), predominant breed, and color of the vaccinated animal.
- (3) The vaccine used, producer, expiration date, and serial number.
- (4) Date vaccinated.
- (5) Rabies tag number.
- (6) Veterinarian's signature and license number.

(c) A veterinarian or person under the direct supervision of a veterinarian who vaccinates a dog or cat as required herein shall furnish the owner thereof with a metal tag approved by the city bearing a number corresponding to the number placed on the certificate, and with lettering showing immunization and the year thereof. This tag shall be attached to the properly fitted collar of the dog or cat for which it is issued, and shall be worn at all times in a conspicuous place on the collar. Community cats are not required to wear a metal tag.

(Ordinance 900605-1, sec. 4.01, adopted 6/5/90)

State law references-Rabies vaccinations, V.T.C.A., Health and Safety Code, sec. 826.021 et seq.

Sec. 4.06.002 Reports of exposure to rabies

(a) Any veterinarian who shall find any animal within the city limits afflicted with a disease which is transmissible from animal to man shall immediately report to the city such case together with the name and address of the owner and the location of the premises where the animal can be found.

(b) Persons having knowledge of any animal exhibiting symptoms of or exposed to rabies,

or that has bitten, scratched or otherwise attacked an individual or another animal, or that the person suspects to be rabid or could reasonably foresee as capable of transmitting rabies, shall report the animal or incident to the animal control officer as soon as possible, but not later than twenty-four (24) hours from the time of the incident. The report shall include the name and address of any victim and the owner of the animal, if known, and any other information relating to the incident or animal.

(Ordinance 900605-1, sec. 4.02, adopted 6/5/90)

State law reference—Reports of rabies, V.T.C.A., Health and Safety Code, sec. 826.041.

Sec. 4.06.003 Quarantine procedures

(a) Every animal that has rabies or symptoms thereof, or every animal that a person could reasonably suspect as having rabies, or that bites, scratches, or otherwise attacks another animal or any person within the city, shall be impounded at once and held for observation and quarantined at the approved quarantine facility. The facility must meet the minimum state quarantine facility standards and will be subject to inspection by the department of state health services.

(b) The owner of any dog or cat that is reported to have rabies or symptoms thereof, or to have been exposed to rabies, or to have bitten, scratched, or otherwise attacked any person or other animal within the city, or that the owner knows or suspects to be rabid or to have attacked an individual, shall submit such animal to the animal control officer for a quarantine period of ten (10) days at the owner's expense. The ten-day observation period shall begin on the day of the bite incident. Any such animal must be immediately surrendered to the animal control officer and taken by him/her to an approved quarantine facility. The owner may choose to have the animal quarantined for the ten-day period at an approved animal shelter of his choice.

(c) In the event the owner of such animal described in subsection (a) or (b) refuses to surrender such animal on demand, such action shall constitute a class C misdemeanor and upon conviction be punishable by a fine of two hundred dollars (\$200.00).

(d) The owner of an animal quarantined under this section shall pay to the quarantine facility the reasonable costs of the quarantine and disposition of the animal, including the charges for preparation and shipment of the animal's head or brain, if required, to the nearest department of state health services certified laboratory for rabies testing. If the owner chooses not to pay for quarantine, the animal shall be humanely killed and the brain submitted to a department of state health services certified laboratory for rabies diagnosis, at the owner's expense. All quarantine-related payment arrangements shall be at the discretion of the individual quarantine facility, and the facility shall be responsible for the collection of monies owed.

(e) The following quarantining procedures shall be observed:

(1) Biting animals and animals suspected of rabies that are placed in confinement for observation must be separated from all other animals in such a manner that there is no possibility of physical contact between animals.

(2) The quarantined animal must be observed at least daily by a person responsible for notifying the city if clinical signs of rabies are noted.

(3) At the discretion of the city or its designee, the unowned animal may be humanely killed for rabies diagnosis prior to the end of the quarantine period.

(4) The city may require a written agreement by the owner or the custodian at the time of quarantine and the animal may be disposed of according to terms of this agreement.

(5) If the biting animal cannot be maintained in secure quarantine or if the owner

chooses not to pay for quarantine, the animal shall be humanely killed and the brain submitted to a department of state health services certified laboratory for rabies diagnosis, at the owner's expense.

(Ordinance 900605-1, sec. 4.03, adopted 6/5/90)

Sec. 4.06.004 Quarantine method and testing

(a) Animals quarantined at the animal shelter shall be observed by a licensed veterinarian at least on the first and last days of the quarantine period. If the veterinarian determines that the animal has clinical signs of the disease of rabies, the animal shall be humanely killed and the head or brain submitted for testing. If the veterinarian determines that the animal does not exhibit the clinical signs of the disease of rabies, the city shall provide a form to the veterinarian for his/her signature certifying that the animal has been found to be free of the clinical signs of rabies at the end of the quarantine period. This form shall be returned to the city at the end of the quarantine period.

(b) The owner of the animal may request permission from the city for home quarantine if the following criteria can be met:

(1) Secure facilities must be available at the home of the animal's owner, and must be approved by the city.

(2) The animal is currently vaccinated against rabies and possesses a current city license tag (if the licensing requirement of this chapter is applicable).

(3) The animal was not in violation of any laws or ordinance at the time of the incident.

(4) The bite or scratch incident was a provoked attack.

(5) The victim or victim's parent or legal guardian must approve the granting of a home quarantine if all other requirements have been met. The approval must be in writing on a form provided by the city.

(6) A licensed veterinarian must observe the animal at least on the first and last days of the quarantine period. For the first observation, the animal will be transported by the animal control officer to the local veterinarian chosen by the owner, and then returned to the location of the home quarantine by the animal control officer after the observation. If the animal becomes ill during the home quarantine period, the veterinarian and the city must be notified by the person having possession of the animal. At the end of the observation period the owner shall transport the animal by direct route to the veterinarian for the final observation. Both observations by the veterinarian may be made at the location of the home quarantine if requested by the owner or required by the city. The release from quarantine must be accomplished in writing.

(7) The owner shall be responsible for paying all rabies observation fees to the veterinarian. All quarantine fees shall be set by contract between the custodian during impoundment and the city.

(8) It shall be unlawful to violate the provisions and conditions of the home quarantine as required by the city. If the owner of the animal fails to abide by all provisions and conditions required by the city when the home quarantine was granted and the animal is found in violation of these conditions, the animal shall be immediately impounded and quarantined for the remainder of the observation period at an approved animal shelter at the owner's expense.

(c) No dog or cat shall be released from quarantine unless:

(1) The owner has an unexpired rabies vaccination certificate and license for the animal (if the licensing requirement is applicable); or

(2) The animal is vaccinated against rabies by a licensed veterinarian at the owner's expense and a license (if required) is obtained at the owner's expense from the veterinarian or the city office.

(d) No wild animal will be placed in quarantine. All wild animals involved in biting incidents will be humanely killed in such a manner that the brain is not mutilated. The brain shall be submitted to a department of state health services certified laboratory for rabies diagnosis.

(Ordinance 900605-1, sec. 4.04, adopted 6/5/90)

Sec. 4.06.005 Disposition of domestic animals exposed to rabies

(a) Unvaccinated animals which have been bitten or directly exposed by physical contact with a rabid animal or its fresh tissues shall be humanely killed or, if sufficient justification for preserving the animal exists, the exposed animal shall be immediately vaccinated against rabies, placed in strict isolation for six months, and given a booster vaccination one month prior to release from isolation.

(b) Vaccinated animals which have been bitten or otherwise significantly exposed to a rabid animal shall be humanely killed or, if sufficient justification for preserving the animal exists, the exposed vaccinated animal shall be given a booster rabies vaccination and placed in strict isolation for three months.

(c) These provisions apply only to domestic animals for which an approved rabies vaccine is available.

(d) These provisions will be in accordance with current state law.

(Ordinance 900605-1, sec. 4.05, adopted 6/5/90)

ARTICLE 4.07 DANGEROUS ANIMALS

Division 1. Generally

Secs. 4.07.001–4.07.030 Reserved

Division 2. Dangerous Dogs⁴

Sec. 4.07.031 Applicability of state law

Dangerous dogs, as defined in V.T.C.A., Health and Safety Code, section 822.041, shall be regulated in accordance with the provisions of V.T.C.A., Health and Safety Code, chapter 822, subchapter D. (Ordinance adopted Code)

Secs. 4.07.032–4.07.070 Reserved

Division 3. Dangerous Wild Animals²

Sec. 4.07.071 Applicability of state law

Dangerous wild animals, as defined in V.T.C.A., Health and Safety Code, section 822.101, shall be regulated in accordance with the provisions of V.T.C.A., Health and Safety Code, chapter 822, subchapter E, section 822.101 et seq. (Ordinance adopting Code)

ARTICLE 4.08 COMMUNITY CATS

Sec. 4.08.001 Trap-Neuter-Return

(a) Trap-Neuter-Return shall be the preferred disposition for impounded community cats. Animal control and the local shelter are authorized and encouraged to conduct Trap-Neuter-Return or to direct impounded community cats to a Trap-Neuter-Return program. Specifically:

(1) Trap-Neuter-Return shall be permitted to be practiced by community cat caregivers, animal welfare groups, and animal control, in compliance with any applicable federal or state law. As a part of Trap-Neuter-Return, spay or neuter, eartipping and vaccination for rabies shall take place under the supervision of a licensed veterinarian.

(2) A trapped eartipped cat will be released on the site where trapped unless veterinary care is required. An eartipped cat received by a shelter or animal control will be returned to the location where trapped unless veterinary care is required.

(3) Community cat caregivers are empowered to reclaim impounded community cats without proof of ownership solely for the purpose of carrying out Trap-Neuter-Return and/or returning eartipped community cats to their original locations.

(4) A community cat caregiver who returns a community cat to its original location while conducting Trap-Neuter-Return is not deemed to have abandoned the cat.

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Oklahoma Humane Society Compassion Center Economic Impact Study

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Oklahoma Humane Society Compassion Center Economic Impact Study



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Executive Summary

The Central Oklahoma Humane Society (OK Humane) is looking to assess the potential economic, community, and public health impacts of building and operating an innovative animal sheltering concept called the Compassion Center in downtown Oklahoma City, Oklahoma. Using Impact Analysis for Planning (IMPLAN) software, this report quantifies the proposed center's direct, indirect, and induced effects on the economy of Oklahoma City.

Over a five-year period, the results show the center could have an economic impact of:

\$118,566,405

These numbers include the impacts from both the construction of the center in year one and the impacts from ongoing operations in years two through five, assuming no change in the center's operations or economic impact over that time.

In addition to the economic impact calculated with IMPLAN, this paper also explores urban amenity complex and One Health (connectivity between people, animals and the environment) impacts, both economic and otherwise, which could result from the Compassion Center's presence. Some of the potential impacts discussed include:

- **Increased rates of volunteering and engagement with animal welfare issues:**

Building the center in the middle of the highly walkable urban amenity complex means there will be a high volume of foot traffic. This could increase the number of individuals who engage with the shelter through awareness, volunteer opportunities, and/or general community programming.

- **Increased brand equity:**

As an anchor for the urban amenity complex, the center may serve as an internal and external indicator that the community that Oklahoma City values animal welfare and the human-animal bond.

- **Decreased obesity rates:**

The expansion of walkable areas of the city and the increased presence of animals in the community may lead to the adoption of healthier, more active lifestyles and a decrease in Oklahoma City's obesity rate.

- **Decreased health care expenditures:**

A decrease in obesity and other loneliness and inactivity-related physical and mental health conditions would decrease Oklahoma City's health care expenses.

- **Increased productivity:**

The opportunity to be active during the workday is associated with increased work productivity of employees.

- **Decreased mental health expenditures:**

Access to companion animals as well as green spaces like those incorporated into Oklahoma City's urban amenity complex can enhance mental health and decrease mental health-related expenditures.

- **Increased social capital:**

The increased presence of companion animals in a community can act as a social bridge between people and enhance community cohesion.

- **Humane education:**

Educational programming provided by the Compassion Center can promote the connection with, and responsibility for, all animals, leading to greater respect for all living things.

This paper concludes that the proposed Compassion Center would have an overwhelmingly positive economic and community impact on both the people and homeless companion animals of Oklahoma City.

Central Oklahoma Humane Society (OK Humane): Building a Humane City

OK Humane Introduction and Overview

OK Humane, located in Oklahoma City, Oklahoma, was founded in 2007 with the mission to "enrich the communities it serves by promoting the wellbeing of animals" (Central OK Humane Society, 2016). OK Humane works in close partnership with the Oklahoma City Animal Welfare (OKC Animal Shelter) and other local shelters, maintaining a primary focus on the elimination of needless euthanasia of healthy, adoptable animals in Oklahoma City. Since 2007,

OK Humane has found homes for over 20,000 cats and dogs and spayed and neutered more than 100,000 companion animals. In addition to fostering and adoption services, OK Humane offers low cost sterilization, vaccinations, microchipping, and other basic preventative care to the public at their OK Humane Place Clinic. They also provide community-based programs such as Barn Buddies and Trap, Neuter, Return for feral cats, Homeward Bound Relocation to move dogs from Oklahoma to other areas of the country where they stand a better chance of adoption, a Bottle Babies Nursery for orphaned infants, as well as Humane Education to help area school children learn about companion animal care basics while also encouraging attitudes of kindness, respect, and compassion for all life. OK Humane is a 501(c)(3) nonprofit organization that is funded solely by donations, grants, and bequests. It receives no government funding or tax dollars.

OK Humane and other animal shelters not only serve the animals of the community, but also the people of the community as both a conduit for accessible companion animal-related services and a foundation for expanded pet ownership. In support of their vision to “make the compassionate and respectful treatment of animals a prevalent community value and the well-being of animals a community priority” (Central OK Humane Society, 2016), OK Humane is evaluating the creation of a Compassion Center in downtown Oklahoma City. The center would house 500 companion animals at any one time with the goal of 5,000 annual adoptions. An anticipated 70% of companion animals at the center would come from the municipal shelter while 30% would be owner relinquished. The center would be an innovative space designed to fulfill the basic functions of an animal shelter while also serving as a community gathering place that supports the citywide effort to improve the overall health of both human and animal residents of the city.

In addition to the programs already in place at OK Humane, the proposed center would serve as a convenient destination, with innovative programming aimed at utilizing the green space to optimize the benefits of the human-animal bond in an intrinsically therapeutic natural setting. Such programs may include:

- Lunch break dog walking/cat play session opportunities for downtown workers and residents;

- Social community programming such as “Walk a Hound, Lose a Pound” and “Yappy Hours”;
- Humane education for children - including field trips for schools and summer camps;
- Junior volunteer opportunities such as “Shelter Buddies Reading Program” (could also be utilized by less-mobile seniors);
- Supervised playgroups open to the public and their dogs (“Dogs Playing For Life”).

OK Humane Support for a Humane City

According to a 2016 Humane Society of the United States (HSUS) survey, there are an estimated 66.5 million households with pets nationally. This amounts to roughly 144.1 million dogs and cats serving as companion animals in these households. The prevalence of households with companion animals has grown steadily over the years with a changing perception of what it means to live with a companion animal. Of the households with pets, 63.2% indicated that they consider their animal to be a family member. Additionally, there has been a shift away from traditional pet “ownership” beliefs, where now only 1% of individuals with companion animals in their home consider them to be property. Despite this shift in perceptions regarding the role of companion animals in households, shelters have continued to see the issues of abuse, neglect, and companion animal homelessness persist.

In the same 2016 study, the HSUS found that 84.7% of dogs in households were adopted from a shelter or rescue. Given this data, innovative animal shelter programming such as that proposed by the Compassion Center can play an important role in achieving humane educational outcomes which diminish animal cruelty and other irresponsible companion animal practices. The literature indicates that the willful neglect of the relationships between humans and animals coincides with some of society’s biggest concerns, such as domestic violence, assault, and antisocial behaviors. It also suggests that confronting problematic thoughts and behavior around companion animals may have greater positive benefits for society as a whole (Colorado Link Project, 2016). Shelters that utilize humane education programming and hands-on interaction with companion animals can prompt patrons to explore our relationships with companion animals and the environment and bring to light the human contribution to animal cruelty and environmental degradation (Unti

and DeRes, 2003). By offering the opportunity to participate in pet care and pet ownership, while also educating the public on the nexus of human health and animal welfare, the Compassion Center will support the shift to a more humane Oklahoma City. This progressive approach to animal welfare may require a comprehensive review of city structures and institutions, with specific attention paid to the ways in which organizations and policies are either promoting or hindering efforts to promote the wellbeing of both human and animal residents of the city. The Compassion Center construction, in conjunction with the larger development of the urban amenity complex, can play an invaluable role in shifting the way human residents relate to animals as well as how the community relates to one another as a whole.

Oklahoma City Community Profile

Cultural Context

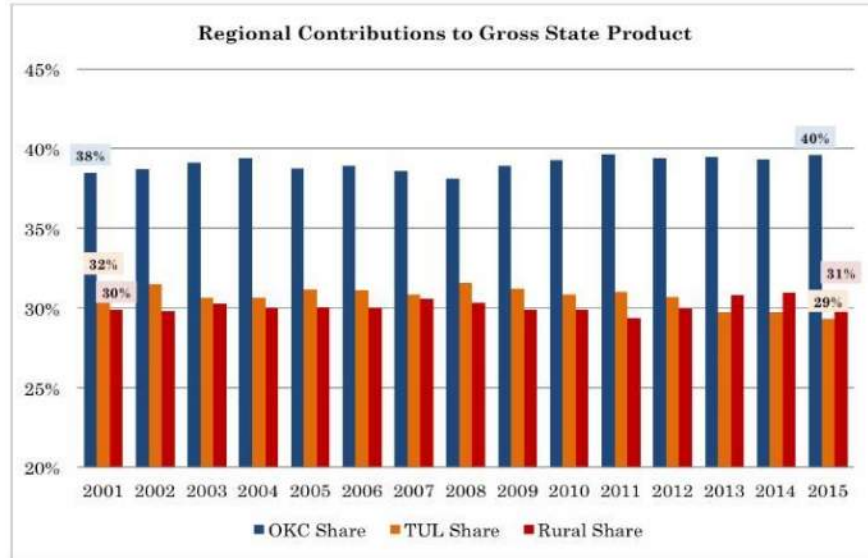
Oklahoma City is the urban center and capitol of the increasingly urbanized state of Oklahoma (RHIH, 2016). The state economy has been historically rooted in oil production and agriculture, but declines in both industries have led residents to shift to alternative employment opportunities, leading to an increased rate of urbanization in the state's major cities. The latest census data depicts Oklahoma City as 62% white, with 17% identifying as Hispanic or Latino, 15.1% African American, 4% Asian, and 3.5% American Indian (USCB, 2016). Across Oklahoma City's demographics, optimizing public health, specifically around the issue of obesity, is a priority. Like many areas of the country, Oklahoma City struggles with obesity and its related health and economic ramifications. In 2007, the state of Oklahoma's adult obesity rate was reported as 33.9%, which is up from 20.1% in 2000 and from 10.3% in 1990 (TAH and RWJF, 2016). In late 2007, Mayor Mike Cornett initiated the "OKC Million" challenge, whereby the residents of Oklahoma City would collectively lose one million pounds, to ignite efforts towards addressing Oklahoma's obesity epidemic. This goal was achieved in January 2012, but public health improvement remains a central focus of the city.

Oklahoma City's population gains and economic strength are partially attributable to the intentional development of a compelling urban amenity complex. "Urban amenity complex" refers to the institutions and infrastructure that complement the lifestyle objectives of urban

residents. Broadly speaking, the amenity complex is a three-legged stool of education, recreation, and transportation. Urban areas that offer broad and diverse educational opportunities (both formal and informal), recreational opportunities including arts, athletics, gathering places, and outdoor recreation, as well as transportation support tend to attract and retain the talent best suited to developing an innovative and creative urban creative core. Civic attention has been directed towards reconstructing Oklahoma City's downtown urban center to facilitate walkability and community-based health promotion (Leber, 2014). This urban amenity complex will further support health improvement initiatives that were activated by the OKC Million challenge and will serve as a guiding principle for the construction of the Compassion Center.

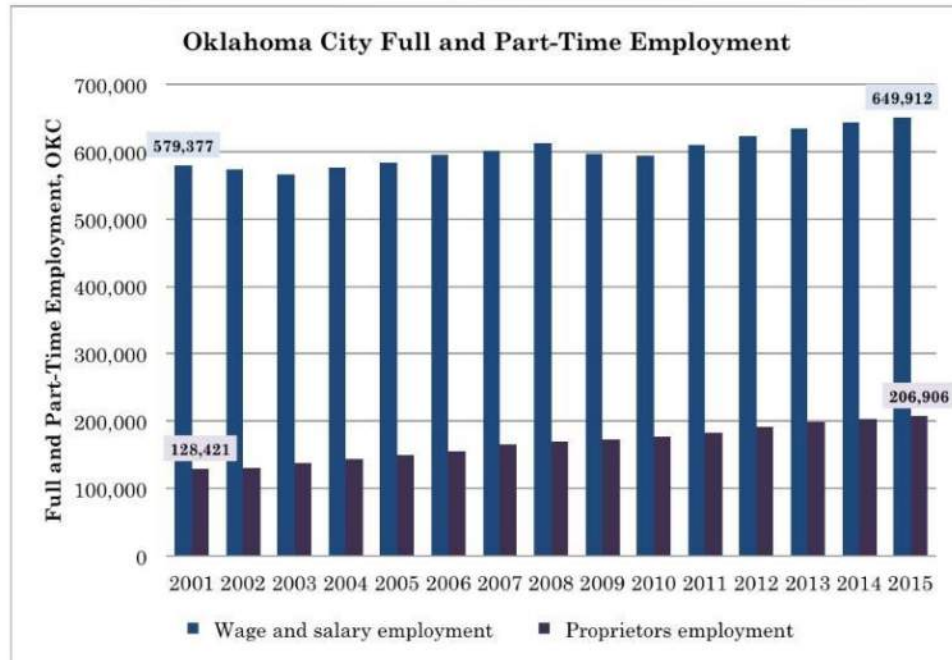
Economic Context

Oklahoma City continues to emerge as the state's primary engine of economic growth, accounting for 40% of the state's \$185 billion economy. Oklahoma City's growing economic contributions are strongly correlated to underlying gains in population, income, and employment. As seen on the following chart, Oklahoma City greatly surpasses the regional contributions to gross state product of Tulsa, OK (TUL) and the collective rural communities.



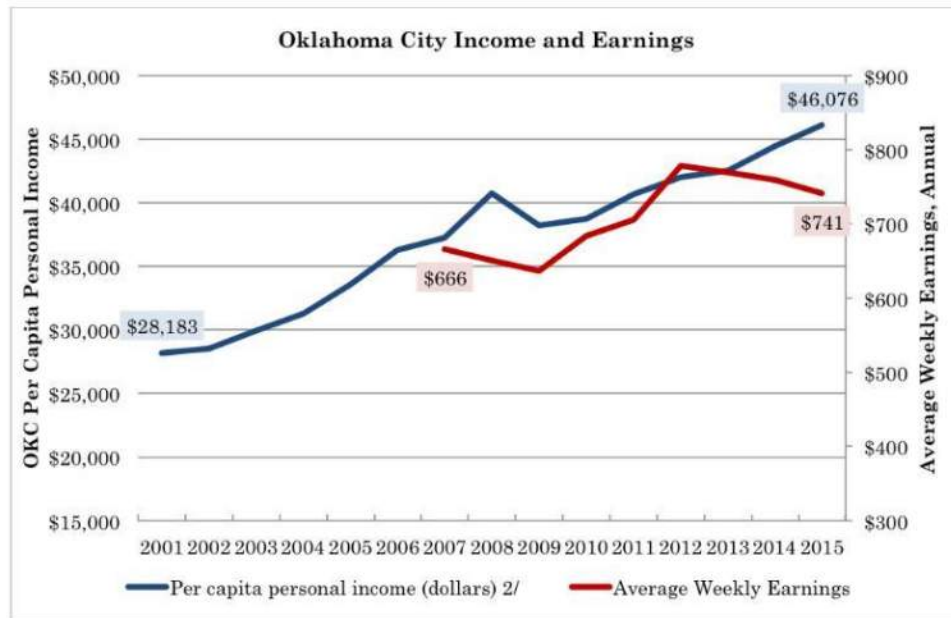
Source: Bureau of Economic Analysis; Calculations by Steven C. Agee Economic Research and Policy Institute

Oklahoma City full- and part-time employment has grown by 21% since 2001, averaging 1.4% growth annually reaching 856,818 by 2015, as denoted on the following chart from the Bureau of Economic Analysis. As home to the state capitol and administrative offices, as well as several major federal employers including Tinker Air Force Base and the Federal Aviation Administration's Mike Monroney Aeronautical Center, the public sector accounts for 19% of Oklahoma City employment. Rounding out the top five employment sectors are health care services (12%), retail trade (12%), leisure services including food and accommodations (11%), and construction (7%). These top five labor-intensive sectors account for 61% of total employment.



Source: Bureau of Economic Analysis; Calculations by Steven C. Agee Economic Research and Policy Institute

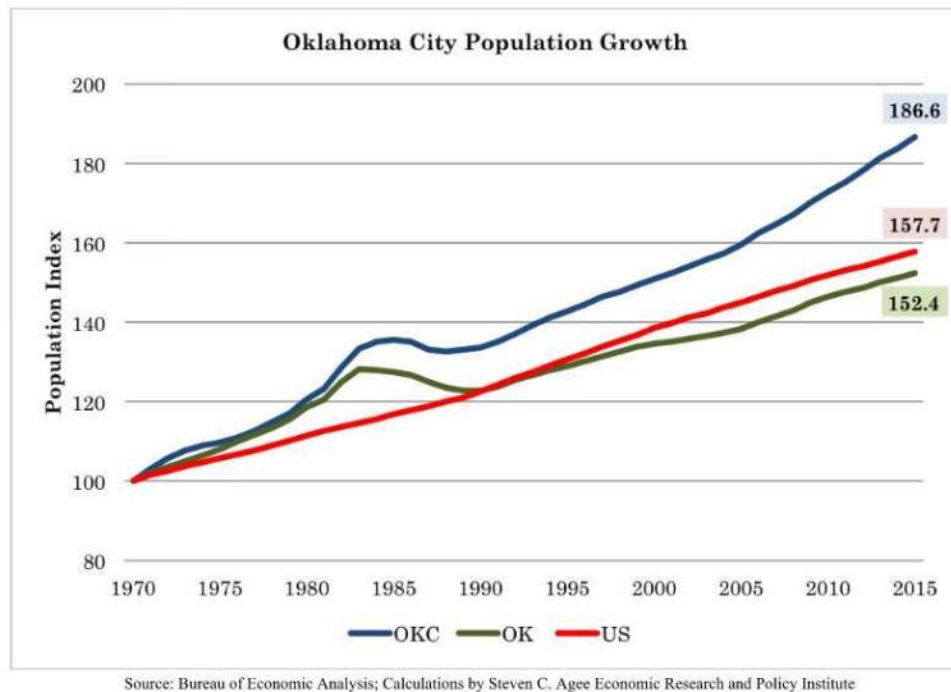
Oklahoma City per capita income reached \$46,076 in 2015, up 63% from the 2001 level of \$28,183, as reported by the Bureaus of Economic Analysis and Labor Statistics in the chart below. As a share of U.S. per capita income, Oklahoma City income rose from 89% of the national per capita income to 96% as earnings grew faster in Oklahoma than average U.S. growth. Oklahoma City private sector average weekly earnings – a narrower definition of income that excludes rents, interest, and dividends – averaged \$741 in 2015, up 11% from 2007.



Source: Bureau of Economic Analysis; Bureau of Labor Statistics

Much of the economic success of Oklahoma City is explained by population gains. Labor-intensive economic activity, especially in the health care, retail, and hospitality sectors tends to follow population gains. Oklahoma City's population expanded aggressively through the oil boom of the 1970's and early 1980's before contracting with the state's population in the ensuing bust. Beginning in the early 1990's, Oklahoma City's population resumed a steady growth path while the state's trend was much more modest. The state's population growth rates consistently lagged national rates over the last 25 years while the metro area's population growth rates

exceeded national rates over this period. The growth rate gap enjoyed by Oklahoma City has widened significantly over the last 10 years, evidenced in the Oklahoma City Population Growth chart here:



Oklahoma City's population gains and economic strength are attributable to a combination of factors, led by its favorable geography and intentional development of a compelling urban amenity complex. The city's location south and west and along the I-35 corridor places it in one of the fastest growing megalopolis regions of the country. Oklahoma City is also approaching a key population milestone of two million people. The map below highlights the nation's large metropolitan areas and historic population centers in the northeast, upper Midwest, and west coast regions. Currently, 32 metropolitan areas in the United States have reached the two million persons mark¹.

¹ Since the map was created, Austin, Texas has also reached the two million person milestone.



Source: Map created by the Greater Oklahoma City Chamber of Commerce

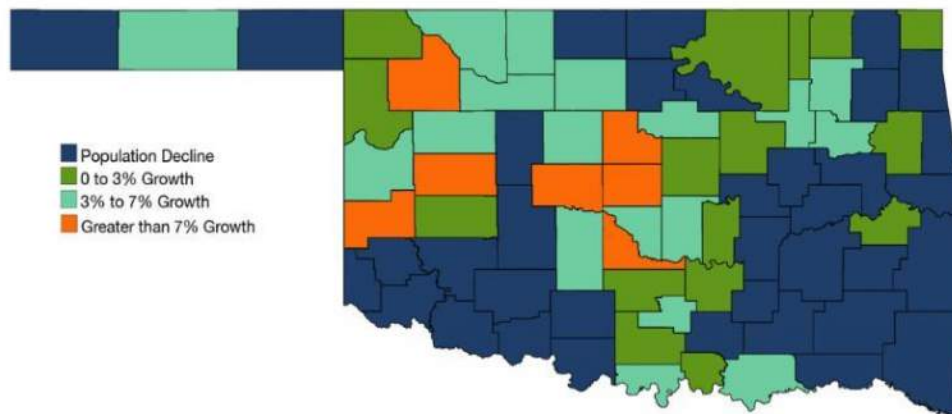
Population movements to the south and west have accelerated over the last generation leading to new fast growing population centers. The map below highlights in blue the large metropolitan areas experiencing population growth rates greater than Oklahoma City².



² This map also fails to recognize Austin, Texas as both recently reaching the two million person milestone and sustaining some of the fastest population growth rates in the nation.

Population centers growing faster than Oklahoma City are generally in the southern and western parts of the United States, headlined by the population growth of the I-35 corridor in Houston, San Antonio, Austin, and Dallas, Texas. Population strength continues to spill north along the corridor stretching into the Oklahoma City metropolitan area. Oklahoma City's efforts to encourage density in the city's core by developing a nationally recognized amenity complex serve to accelerate the geographically-induced growth.

The accompanying map of county-specific population changes from 2010 to 2015 highlight the economic forces behind movements in people and economic activity. All counties shaded dark blue experienced population declines over the first half of the decade. Dark green shaded counties experienced slow population growth. Light green shaded counties experienced significant population growth and are clustered around the Oklahoma/Texas I-35 border, the Oklahoma City core, the Tulsa MSA, and counties that enjoyed the fruits of the oil boom during this period. Orange shaded counties experienced transformative growth nearly twice (or more) the national average. Transformative growth is seen in the Oklahoma City core (a result of geography and amenity development) and in the heart of the oil production centers (a result of a specific industry strength). The population growth in Oklahoma City is supported by, but not dependent on, oil and gas strength, and is expected to continue growing in the years ahead.



The economic context described above offers a backdrop against which to consider the economic contribution of the proposed Compassion Center. The center would operate in the core of a fast-

growing but mid-level metropolitan area. In addition to its static economic impact, the center can serve as a complement to the downtown amenity complex, a signal of social awareness to a key labor demographic (the young, highly-educated, and innovative professional) and a catalyst for public health improvements. The economic significance of these impacts may well far exceed its operational impact over time.

The urban amenity complex development, paired with the construction of the Compassion Center, represents a significant opportunity to improve Oklahoma City's holistic wellness through a number of indicators. Of focus for this paper will be the economic, public health, and overall community wellness impacts of the new animal sheltering concept. In totality, the Compassion Center will serve to improve issues of human health through the associated social and economic benefits of increasing the number of adopted animals in a community.

OK Humane Compassion Center Economic Impact Analysis

Background

The current economic geography concentrates high-value economic activity in dense, amenity rich, creative centers³. Among the factors determining the location of economic activity, three are key: geography, amenities, and creativity. Controlling for other factors of economic growth, urban areas in the southern and western areas of the United States continue to outperform areas to the north and east. Population centers in Texas along the I-35 corridor trail only Florida and Arizona in terms of their twenty-year growth rates. Houston's sustained population growth rates exceed Chicago's to the point that Houston is on pace to become the nation's third largest in the next decade. While a portion of the growth is rightly attributable to strength in the oil and gas sector, much of the Texas economic and population growth is more appropriately attributable to forces that are purely geographical.

Controlling for other factors of economic growth, urban areas with a greater share of industry in a creativity cluster outperform less creatively endowed peers. Creativity clusters include

³ For a contrasting discussion on the flat world and the new economic geography, see *The World is Flat* by Thomas L. Friedman and *The New Geography of Jobs* by Enrico Moretti.

industries that are technologically rich, innovative, evolving and often include a Science, Technology, Engineering, and Mathematics (STEM) emphasis. In contrast, urban areas characterized by routine-driven occupations tend to experience slower productivity and wage growth (Martin et al., 2015). Fostering a climate of creativity, developing policies that promote a bridge from routine to creative occupations, or cultivating a creative extension of a routine occupation are increasingly important urban economic development strategies.

Controlling for other factors of economic growth, urban areas with a more developed amenity complex outperform amenity-poor peers. As touched on earlier, urban areas that offer broad and diverse educational opportunities, recreational opportunities, and transportation support tend to attract and retain the talent best-suited to developing a creative and innovative urban core.

The economic development implication of the preceding discussion is that not all economic activity is equal. New economic activity that encourages density, spurs creativity, or complements the amenity complex is of more value than economic activity that does not. The intent of this paper is to examine the potential economic contribution of the proposed OK Humane Compassion Center. When complete, the center will provide innovative animal care, community educational programs, and human-animal interactive public spaces while serving as a signal of social awareness to the creative talent pool feeding Oklahoma City's economic future.

Economic Impacts

Economic impact studies are designed to estimate the economic to a region from new activity. While these are not cost-benefit studies – as they do not explicitly estimate all of the costs or benefits of the new activity – they are an essential step in understanding the avenues by which local regions benefit from new economic activity. Economic impact models begin with a static delineation of payments between a regional economy's primary institutions (firms, households, and governments). The system of payments links the dollar output from a given industry (in our case, animal care facilities) to the dollar inputs required from supporting industries (e.g. wholesale purchases of supplies, veterinary equipment purchases, etc.) and the dollar inputs required from households (e.g. labor services in the form of veterinarians, administrative, and

support staff). In this way, every dollar of new output from an industry can be shown to require a given level of new support from related industries and regional households.

Economic impacts are estimated as responses to an external economic stimulus – or new economic activity. The change in final demand for regional production triggered by the stimulus is referred to as the *direct economic impact*. In order to accommodate the newly demanded output (e.g. animal adoption, welfare, and educational services), the producer in turn requires additional support from their suppliers, and in order for these suppliers to accommodate the new demand, they in turn increase purchases according to the relationships in the economic model from their supporting industries, and so on. The aggregate process of economic increase is referred to as the *indirect economic impacts* of the initial stimulus.

In addition to indirect economic impacts, an additional layer of economic impact is realized as workers from all levels of the process spend a portion of their additional labor income (and non-labor income). This household spending creates new demand (a second stimulus) from household supporting industries (e.g. health services, retail purchases, food services, etc.) that sets in motion successive economic activity as described previously. The aggregate process of economic activity from household spending is referred to as the *induced economic impacts* of the initial stimulus.

Economic impact models as described above, that estimate new economic activity based on current linkages between the inputs required from supporting industries and the output they support, are known as *Input-Output (IO) models*. IO models assume a fixed production relationship between outputs and inputs and sufficient slack in the affected markets as to leave prices fixed. The most common IO model application is IMPLAN, a data and modeling service commonly used in universities, governments, and economic development agencies to assess the economic impacts of new and existing industry activity⁴. The IMPLAN model application provides a baseline model of state and regional economies. Impacts can be estimated either within the software or in a custom spreadsheet application using multipliers derived within and

⁴ See www.implan.com/company for a complete company review and product description. Other sources of IO model derived multipliers include the Bureau of Economic Analysis RIMS II database found at ***.bea.gov/regional/rims/rimsii/.

downloaded from the IMPLAN application. All impacts reported below are estimated within the IMPLAN software using a customized representation of the Oklahoma City economy.

The economic impact of the proposed Compassion Center occurs in two phases. First, the construction of the center exerts a one-time economic impact in the economy. Second, the operation of the center exerts a recurring impact in the economy.

The proposed Compassion Center is to be built on the southern edge of the MAPS 3 Downtown Public Park. The 70-acre park is funded through the third installment of the metropolitan area improvement program – “a capital improvements program in Oklahoma City that uses a one-cent, limited-term sales tax to pay for debt-free projects that improve our quality of life.”⁵ The park will include two sections connected by the 380-foot-long pedestrian Skydance Bridge which features a 197-foot-tall sculpture inspired by Oklahoma’s state bird, the scissor-tailed flycatcher. The north section will encompass 40 acres stretching from downtown’s core to Interstate 40 and the Skydance Bridge. The bridge will connect to the southern section of the park, creating access to an additional 30 acres. The proposed center would be built on property adjacent to the southern boundary of the park. In this location, the center would enjoy the ease of access for those coming from outside the city’s core, while maintaining direct connectivity to the core via the park. The adjacent, highly accessible public spaces would complement the center’s mission to encourage human-animal interactions in designated public gathering spaces.

When complete, it is anticipated that the Compassion Center would include 31,000 square feet of space dedicated to innovative delivery of animal welfare, educational, and community services. Approximately two-thirds of the space will be allocated to animal intake, holding, and adoption areas. The remaining space will be divided between clinical service areas, staff offices, educational delivery, and gathering spaces. The center will offer both dog and cat adoption areas with communal living and playrooms as well as dedicated space for training and behavior modification programs. The center will also include a specialized neonatal nursery capable of providing care for up to 2,000 puppies and kittens less than six weeks of age per year.

⁵ See <https://www.okc.gov/government/maps-3/about-maps-3> for an overview of the MAPS 3 program generally and <https://www.okc.gov/government/maps-3/projects/downtown-public-park> for a review of the downtown park specifically.

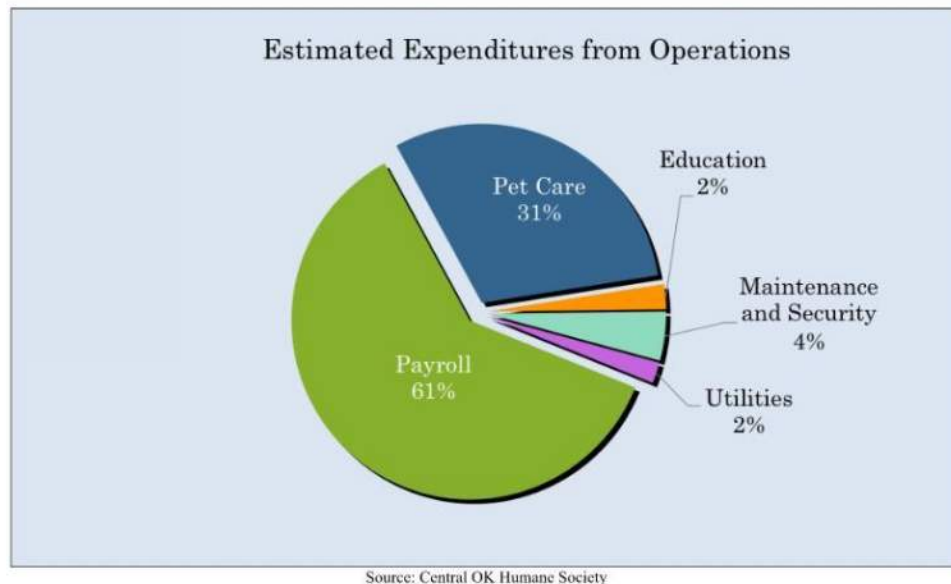
Construction of the center would involve expenditures of \$20 million, much of which would occur within the local economy. As explained previously, the initial expenditure will exert both indirect and induced effects as suppliers respond to this new demand and households spend a portion of newly generated income locally. The combined indirect and induced effects are reported below simply as the *multiplier effect*:

Economic Impacts from Construction				
	Employment	Labor Income		Output
Direct Effect	141	\$	7,824,617	\$ 20,000,001
Multiplier Effect	98	\$	5,192,789	\$ 15,393,297
Total Impacts	239	\$	13,017,406	\$ 35,393,297

Explained further, the construction phase of the project is anticipated to directly support 141 jobs (both full and part-time), while generating labor income gains of \$7.8 million (pay and benefits). The construction of the Compassion Center would rely heavily on local industries as the multiplier effect supports an additional 98 jobs and \$5.2 million in labor income. In total, the construction of the facility is anticipated to generate \$35.4 million in regional economic output while supporting 239 jobs and \$13 million in labor income. These are one-time impacts that will be experienced over time as the construction process occurs.

Compassion Center operations will be supported by an annual operating budget of \$4 to \$4.5 million. Operational expenditures will support medical and non-medical staff (approximately \$2.7 million annually), adoption center and program support (approximately \$1.35 million annually), and miscellaneous maintenance and repair expenses. At full operations, the center will serve as a source of best practice information for regional animal welfare organizations, a central location for innovative children's and educational programs, and offer unique human-

animal interactive spaces for community events. The proximity to downtown will allow the operations to offer downtown activities, including a satellite adoption center.



The annual operations will require recurring purchases from the local support economy. Purchases from supporting industries will trigger indirect and induced effects. The payments to staff will increase local household income triggering additional induced economic impacts. Just as the operational expenses will recur annually, so too will the economic impacts.

Economic impacts from operations occur in three distinct areas, as seen in the pie chart above. First, the staffing, payroll, and operations of the center represent new activity in the region. Second, the operations require purchases of materials and services from regional suppliers. Third, operations require labor services providing household income, a portion of which will be spent in the local economy offering additional economic impacts. The latter two avenues of impact will generate spillover, or multiplier effects.

The projected impacts from operations are presented below. Total impacts are the sum of the direct impacts from operations, impacts from regional purchases, and impacts from regional household spending:

Total Impacts from Operations			
	Employment	Labor Income	Output
Direct Effect	195	\$ 2,700,000	\$ 12,569,045
Multiplier Effect	29	\$ 1,359,443	\$ 4,112,116
Total Impacts	224	\$ 4,059,443	\$ 16,681,161

Economic Impacts from Operations Non Payroll Expenditures			
	Employment	Labor Income	Output
Direct Effect	8	\$ 341,388	\$ 1,074,528
Multiplier Effect	5	\$ 269,187	\$ 821,188
Total Impacts	13	\$ 610,575	\$ 1,895,715

Induced Impacts from Center Employee Income			
	Employment	Labor Income	Output
Direct Effect	-	\$ -	\$ -
Multiplier Effect	16	\$ 748,868	\$ 2,216,401
Total Impacts	16	\$ 748,868	\$ 2,216,401

Direct impacts are estimated from a reported annual payroll of \$2.7 million of which approximately \$600,000 is for veterinary professionals. Given the structure of the local economy, a \$2.7 million payroll is estimated to directly support 195 full and part-time jobs and almost \$12.6 million in regional production.

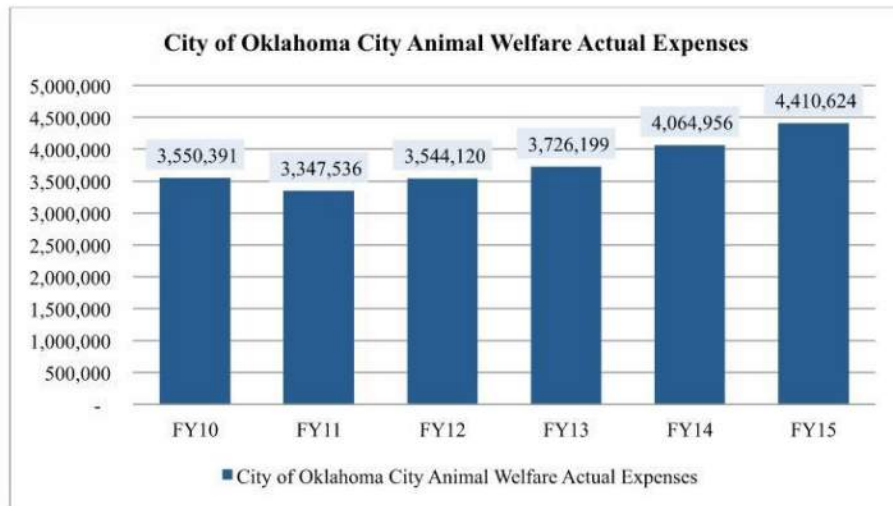
In addition to the \$2.7 million local payroll, center operations will require an additional \$1.7 million in non-payroll expenditures. Models of existing industry linkages in the Oklahoma City economy estimate that almost \$1.1 million of these “support” purchases will occur within the local economy. These local purchases are estimated to directly support 8 local jobs and \$341,388 in labor income while indirectly supporting an additional 5 jobs, \$269,187 in labor income, and \$821,188 in local production. Finally, center payroll expenditures induce increases in household spending sufficient to support 16 jobs, \$748,868 in labor income, and \$2.2 million in local production.

The spillover economic impacts from operational (non-payroll) and payroll expenditures combine to account for \$4.1 million in local economic production. The primary sectors benefiting from the economic activity supported by operational expenditures include power generation, medical manufacturing, real estate, wholesale trade, and building maintenance. The concentration of impacts in these industries is not a surprise given the requirements of the facility and the nature of providing clinic services.

The primary sectors benefitting from the payroll induced impacts are dwellings, hospitals, real estate, wholesale trade, and insurance carriers. Again, these sector impacts are consistent with the spending priorities of households. Payroll increases spur typical household spending on living, medical, and recreational activities. The full list of top industries impacted is reported in the accompanying table. In total, the impacts identified in the primary sectors account for 46% of the total \$4.1 million spillover activity.

Output Impacts - Primary Industry Impacts	
Sector Description	Output Impact - Nonpayroll Indirect
Electric power generation and transmission	195,550.1
Pharmaceutical, surgical, and medical manufacturing	155,056.7
Real estate	119,369.0
Wholesale trade	110,310.6
Services to buildings	102,487.8
Other educational services	96,563.6
Management of companies and enterprises	48,773.1
Owner-occupied dwellings	44,543.0
Facilities support services	44,108.2
Monetary authorities and depository credit intermediation	28,488.1
Sector Description	Output Impact - Payroll Induced
Owner-occupied dwellings	251,742.8
Hospitals	134,254.4
Real estate	116,331.1
Wholesale trade	109,114.1
Insurance carriers	79,203.9
Offices of physicians	69,450.8
Monetary authorities and depository credit intermediation	55,490.9
Other financial investment activities	51,046.5
Limited-service restaurants	46,820.0
Full-service restaurants	44,634.8
<i>Share of Indirect and Induced Impact from Primary Industries</i>	46%

An unexplored avenue of economic impact is the decreased burden placed on the city shelter from an active partnership with the new facility. As seen on the following graph, the City of Oklahoma City Animal Welfare expenses have risen from \$3.5 million in fiscal year 2010 to \$4.4 million in fiscal year 2015. In fiscal year 2015, the city shelter took in 23,185 dogs and cats for an average animal expense of \$190. The ability of the Compassion Center to ease the operational burdens of the shelter translate directly into cost savings for the city, allowing those funds to be allocated strategically to other areas of municipal operations.



In total, the operations of the Compassion Center are anticipated to initiate annually recurring economic impacts supporting 224 full and part-time jobs, \$4.1 million in local labor income, and \$16.7 million in local production. The impacts from operations complement the impacts from construction presented previously.

While significant, the direct economic impact of the construction and operation of the Compassion Center may appear to be relatively modest compared to other major economic development initiatives. However, the economic impact of the center can extend beyond simple changes in regional production to also complement the major public health initiatives and a core amenity complex that encourages density, creativity, and productivity. Given that scope, the true economic importance of the center has the potential to far exceed the above estimated economic impact.

OK Humane Compassion Center and the Urban Amenity Complex

Located just south of the central park and just east of the developing Wheeler District⁶, the Compassion Center will anchor the southern edge of the downtown core. Oklahoma City's "Core to Shore" plan (2008) articulates the urban amenity complex as a development project that "extends the activity and energy of a vital city center to the river; and the tranquility and open quality of the riverfront to downtown". This plan will follow five development principles designed to be a model for contemporary urban redevelopment:

1. **High Quality Design** - public and private environments will reflect the scale and detail of an urban community, provide cohesive variety, and utilize enduring, quality building, landscape, and streetscape materials;
2. **Pedestrian Scale** - the Core to Shore district will remain, above all, walkable and designed for the enjoyment and experience of people traveling without a motor vehicle. The environment will make pedestrian and bike transportation the naturally preferred modes of travel;
3. **Sustainability** - the physical structure of the district will minimize unnecessary driving and energy use, the building designs will conserve energy and minimize use of non-renewable resources, and major building projects will be LEED-certified;
4. **Compatibility** - development of both Downtown and the riverfront will fit together logically and organically;
5. **Diversity and Variety** - the district will provide a variety of housing, retail, recreational, and entertainment options, serving a wide range of preferences and incomes. Environment design will be similarly diverse and timeless.

This development initiative follows increased interest in the health and prosperity of the nearby river in the past two decades. Industrialized agriculture in the surrounding towns and urbanization within the city has greatly impacted the surrounding natural environment. In 2004, the North Canadian River was diverted and dammed to form the Oklahoma River in an effort to

⁶ See <http://newsok.com/article/5514114> for a recent article on the Wheeler District and proposed Tax Increment Finance district.

improve the water quality of the river. The result was a new water recreational space for Oklahoma City residents directly south of the city. However, increased demand for apartment units and other developments has restricted access to the river and river activities. The urban amenity complex would stretch from the downtown center to the Oklahoma River, generating a greater degree of accessibility to the water resource for downtown residents and workers.

The urban amenity complex development represents a significant investment in integrating the wellness enhancing qualities of the riverfront with the economic prosperity of the urban setting of Oklahoma City. These efforts are politically backed by the city's elected and appointed officials and are now being integrated into the agendas of local business owners and organizations. The OK Humane Compassion Center has the potential to be one such organization. The Center's intended location on the south side of the city's urban center would situate it in the nucleus of the urban green space, which is envisioned to be populated with intentionally selected businesses and organizations that will promote the healthy lifestyles kick-started by the OKC Million Pound challenge.

The urban amenity complex design is intended to enhance the walkability of the central urban corridor of OKC's downtown by integrating "green care" components of outdoor parks, water features, and eco-conscious structures. Such urban renewal projects can increase the property values of the surrounding neighborhoods and enhance public health of the residents of the city by enhancing the accessibility of green space and the riverfront area. Integrating the Compassion Center into the urban amenity complex would benefit public health by expanding opportunities for engagement such as increased physical exercise, improved feelings of connectedness with one's community, and an increased engagement with civic activities.

The urban amenity complex concept arises out of increasing understanding of the harmful effects of long-term exposure to traditional urban environments. As a result, there is a contemporary urban planning movement towards preserving green space, optimizing access to natural resources, and increasing the amount of time spent outdoors in nature. Studies have found:

- The absence of or restriction of access to green spaces or nature meant a diminished opportunity for individuals to recover from mental stress (Pretty et al., 2004);

- The components of the environment, such as the presence of nature or the physical features of the space have an impact on human behavior, interpersonal relationships and actual mental states (Tuan, 1977; Freeman, 1984; Kellert and Wilson, 1993; Tall, 1996; Frumkin, 2001);
- Studies show that being in nature can help restore attention and increase a sense of well-being (Zhang et al., 2014);
- Adopting physical activities whilst at the same time being directly exposed to nature has a variety of benefits (Hayashi et al., 1999);
- The cognitive functioning of children is improved when they are able to view green space from their home (Wells & Evans, 2003);
- Green spaces have important social implications like providing spaces for expression of both personal and cultural diversity (Thompson, 2002).

While the urban amenity complex is designed to facilitate human health, the Compassion Center represents an opportunity to integrate animal health into the project vision as well. Like many cities, Oklahoma City's animal welfare enforcement resources are limited, despite ongoing efforts to expand programs to improve the health and wellness of Oklahoma City's companion animal population. Oklahoma City's municipal facility handles dogs, cats, small mammals, livestock, and occasionally more exotic animals like reptiles or equines. The Compassion Center plans to take in over 7,000 animals from the municipal shelter annually, which would significantly reduce the existing burden on the municipal shelter and increase Oklahoma City's capacity to serve its homeless or neglected animal population. The Compassion Center's innovative programming will also offer new opportunities for Oklahoma City residents to engage with companion animals.

The Compassion Center will also offer a satellite adoption outreach center to further enhance the connection between the center and the downtown core. Over a lunch hour or before or after work, downtown workers, residents, and schoolchildren can interact with both the environment and companion animals available for adoption, receive training for personal companion animals, and/or participate in programs offered through their employer or school. This interaction will both benefit the adoptable companion animals (Bill Meade, whose architectural division of

Animal Care Equipment & Services in Crestline, CA, designs shelters across the United States states: “Every time we convince town officials to put a shelter in a good location, adoptions double”) and also offer a unique downtown amenity that will complement the current dining, recreation, arts, and outdoor spaces in the city’s amenity package.

Downtown Oklahoma City residents have been critical of the city’s pet-unfriendliness, specifically as it relates to the municipal code that prevents dog walking along the Bricktown Canal and a lack of dog parks and other pet-centric amenities. The Compassion Center would provide resources to enhance the community’s perception of the city’s overall pet friendliness in a welcoming atmosphere, which downtown residents desire and have come to expect from a major city. The center also has the potential to serve as a magnet drawing additional development to the southern edge and encouraging economic infill in the areas in between. In contributing to the densification of the city’s core, the Compassion Center can play a key role in contributing to the productivity gains that accompany density.

Attracting and retaining highly educated, innovative, and entrepreneurial millennials is an essential piece of current economic development strategy. Having the Compassion Center serve as an anchor of the urban amenity complex enhances the potential for it to function as an important signal to a highly mobile millennial population (Benetsky et al., 2015). The low cost of information sharing allows this demographic to readily form and communicate opinions of metro areas via social networks. This digital reality means that every local policy should be evaluated not just on its local impact, but also on the signal it sends beyond the community. The proposed center has the potential to send a positive signal both inside and outside the community that Oklahoma City promotes the benefits of human-animal-environmental interactions and values of animal welfare. This kind of brand equity alone for Oklahoma City could greatly increase even the projected economic impacts of the Compassion Center.

OK Humane Compassion Center and One Health Impacts

One Health is a concept, collaboratively proposed by the American Veterinary Medical Association and American Medical Association, which recognizes that the health of people is

connected to the health of animals and the environment. The goal of articulating the One Health paradigm is to encourage collaborative efforts of multiple disciplines - working locally, nationally, and globally - to achieve the best health for people, animals, and the environment, under the assumption that the health of each are deeply interconnected. The Compassion Center is uniquely positioned to exemplify the One Health concept by maximizing positive health benefits for both the humans and companion animals of Oklahoma City and drawing more individuals to the enhanced urban environment. The research and literature around the health benefits of animals in a community indicates that the presence of an animal in a household improves an individual's holistic wellness, including their physical, mental, and social health. These health benefits are a function of the activities inherent to living with companion animals such as increased physical activity, sensory stimulation through touching, and social interaction, but also the quality and consistency of the relationship that is required for the companion animal to be sufficiently cared for. The interconnected mechanisms of these health benefits for people, relevance to animal welfare, environmental stewardship and community development are outlined in more detail in the following sections.

Physical Health

In the United States, less than 50% of the population meets the physical activity guideline of 150 minutes per week (Christian et al., 2016). Physical inactivity results in the so-called "disuse syndrome" (i.e., premature aging, obesity, cardiovascular vulnerability, musculoskeletal fragility, and depression) (Bortz, 1984). Missouri, a state neighboring Oklahoma with similar demographics, estimated that obesity and overweight-attributable illness cost \$1.6 billion in medical expenditures between 1998 and 2000 (Finkelstein et al., 2005). One of the barriers to meeting the physical activity guideline may be a lack of pleasurable and accessible opportunities to walk.

The 2015 release of *Step It Up! The U.S. Surgeon General's Call to Action to Promote Walking and Walkable Communities* underscores the importance of increasing walking and walkability as a strategy not only to improve human physical health, but also to make communities safer, support social cohesion, reduce air pollution, and benefit local economies (USDHHS, 2015). Walkability (as defined by Walkscore™) is indicated to decrease property crime, murders, and

violent crime in areas where there was not a majority minority population (Gilderbloom, 2014). Regular physical activity is associated with numerous health benefits, including the prevention of many chronic diseases and conditions or a reduction in their adverse effects. Maintaining active lifestyles can help people stay at a healthy weight or lose weight. It can also lower the risk of heart disease, diabetes, stroke, high blood pressure, osteoporosis, and certain cancers, as well as reduce stress and boost mood. Therefore, the potential for physical activity at the Compassion Center through interaction with animals residing in the shelter and through utilization of the green space and walkable components of the urban amenity complex, has salient physical, mental, and community health implications.

The presence of companion animals in a community has a variety of other possible physical health benefits. Serpell (1991) indicated a causal relationship between acquiring a dog or cat and subsequent improvement in health and psychological well-being, with some of these effects lasting in the long-term (beyond one year). One study found that having a dog in the room lowered blood pressure more effectively than taking a popular type of blood pressure medication (ACE inhibitor) when under stress (Allen et al., 2001). Other research has indicated that the simple act of stroking an animal can help lower blood pressure and cholesterol (Hodgson et al., 2015). A 1980 study that was replicated in 1995 showed that even when controlling for the type of pet, the presence of any companion animal in the home following a major cardiovascular health event was associated with an enhanced prognosis for the patient, including their survival rate in the year following that event (Friedman et al., 1980, Friedman, 1995). The decrease in blood pressure as a result of contact comfort (Newton and Ehrlich, 1966), the unconditional positive regard (Fox, 1975), and the relaxation effect (Benson et al., 1978) of being in the presence of animals are all possible factors that result in an enhanced prognosis of cardiovascular patients. An assessment conducted by a panel of cardiologists convened by the American Heart Association concluded that pet ownership, particularly dog ownership, may be correlated to reduction in cardiovascular disease risk (Levine et al., 2013).

Further, researchers measured changes in heart rate and blood pressure among people who had a dog or cat, compared to those who did not, when participants were under stress (performing a timed math task), in a 2002 study. People with a dog or cat had lower resting heart rates and

blood pressure measures at the beginning of the experiment than non-pet owners. People with a dog or cat were also less likely to have spikes in heart rates and blood pressure while performing the math task, and their heart rates and blood pressure returned to normal more quickly. They also made fewer errors in their math when their companion animal was present in the room (Allen et al., 2002). All these findings indicated that having a dog or cat lowered the risk of heart disease, as well as lowering stress so that performance improved. Therefore, the Compassion Center's role in promoting adoption of companion animals and expanding the concept of responsible pet ownership indicates it could be source of decreased stress and increased life satisfaction for Oklahoma City residents.

The intrinsic support offered by companion animals may mirror human health benefits attributed to healthy human relationships (Collis and McNicholas, 1998). McNicholas et al. (2005) indicate that the degree to which physical health benefits are accrued as a result of companion animals may be mediated by variables such as personality, age, economic, or health status. The health benefits are a positive factor and people with companion animals choose to engage in these human-animal interactions as a result of the contributions the animal makes to their overall quality of life (Podbercek et al., 2000).

The positive impact on health also has fiscal impact for individuals and families. Headey (1999) found that dog and cat owners make fewer annual doctor visits, with a lower likelihood of needing medication for cardiovascular or sleep-related medical concerns. The survey concluded that pet ownership might be linked to an estimated savings of \$988 million in national health expenditures between 1994 and 1995. This is an extension of Siegel's (1990) findings that older people with companion animals made fewer doctor's visits as a result of decreased stress around adverse life events. Animals in a community and the activities inherent to their care provide structure that includes physical activity that could be vital to extending the quality of life for the aging adult population (Rakowski and Mor, 1992).

Comparative Programs & Physical Benefits

The following case examples indicate ways in which the Compassion Center programming may bring these physical health benefits to Oklahoma City residents via a proposed satellite adoption center located within the park area of the urban amenity complex and through volunteer work opportunities within the shelter's day-to-day operations.

Increasing Physical Activity through Volunteer Work: "Walk A Hound, Lose a Pound" Program (WAHLAP) Case Study

A study in 2006 indicated that increasing the number of animals in households may contribute to a physically active lifestyle and lead to a decrease in obesity in households that own a pet or have access to a companion animal (Ham and Epping, 2006). Intervention studies suggest that promoting dog-walking among people who do not routinely walk dogs may be an effective strategy for increasing and maintaining regular physical activity.

Intervention studies that focus on walking dogs and utilize a pre-post design show success in reducing participant weight and increasing physical activity. "Loaner" dog walking programs have been shown to be particularly effective at sustaining high adherence rates in targeted walking programs (Johnson and Meadows, 2010). In this way, the presence of an animal shelter that offers this access to dogs in need of walking at various points throughout the workday would greatly enhance the number of physical activity opportunities for the citizens of Oklahoma City.

The "Walk a Hound, Lose a Pound" (WAHLAP) program was the first of its kind to evaluate the benefits of walking shelter dogs for exercise. In one WAHLAP study, participants went from doing vigorous exercise less than three times per week or moderate exercise less than five times per week, to doing 30 minutes a day of moderate exercise five or more days per week. Seven percent of participants completed volunteer training at the animal shelter to be able to walk the dogs more frequently outside of the study and another seven percent of participants adopted dogs that they had walked. Another shelter dog walking study suggests that people who regularly walk dogs, even if they do not own the dog, significantly increase their own physical activity (Johnson, Beck, and McCune, 2011). Johnson and Meadows (2010) showed that overweight,

sedentary public housing residents had a 72% success rate in maintaining regular physical activity over 52 weeks when walking shelter dogs. These participants stated that their motivation for adherence was that “the dogs need us to walk them”.

Similarly, the Compassion Center would provide an additional opportunity to increase an individual’s physical activity by performing basic animal care duties, such as dog walking. An association appears to exist between community service/volunteer activities and levels of physical activity. Those who volunteered in environmental activities (e.g., those that require physical activity) were 2.6 times as likely to meet physical activity recommendations as those who did not volunteer for these activities (Librett et al., 2005).

The following shows a sample calculation of the potential weight loss incurred by volunteers at the Compassion Center, holding all else equal:

Variables	Quantity	Assumptions
Number of shelter dogs	250	
Number of volunteers	300	
% of volunteers walking dogs	80%	
Hours/volunteer/week	2	
Walk speed (MPH)	3	
Miles walked/week	4	Assumes 2/3 of each hour is spent walking. Other time spent on other activities such as returning dog to kennel, filling water bowl, etc.
Calories burned/mile	93	Assumes 180# person
Calories/pound	3,500	

Volunteer Outcomes	Quantity
Number of miles walked/year	49,920
Number of calories burned/year	4,642,560
Pounds lost/year	1,326
Pounds lost/volunteer/year	5.53

In this way, pet ownership is not a prerequisite to benefitting from the positive physical health benefits of the Compassion Center. As shown above, volunteering to walk dogs not only supports the Compassion Center's animal care needs, but also contributes to volunteer weight loss. A 2010 survey conducted by UnitedHealthCare and VolunteerMatch indicated that additional benefits of volunteer work include:

- More than 68% of those who volunteered in the past year report that volunteering made them feel physically healthier;
- 29% of volunteers who suffer from a chronic condition say that volunteering has helped them manage their chronic illness;
- 89% of volunteers agree that volunteering improved their sense of well-being;
- 73% of volunteers feel that volunteering lowered their stress levels;
- 92% of volunteers agree that volunteering enriches their sense of purpose in life.

In terms of the animal health component of the One Health concept, the WAHLAP program also benefitted the participating homeless companion animals. During WAHLAP, the dogs had regular socialization with other dogs and with people of all ages. Shelter staff regularly commented that the shelter was a much quieter place and that the dogs “showed better” to potential adopters on Saturday afternoons after WAHLAP. This was an important outcome because the majority of potential adopters of shelter dogs typically go to the shelter on Saturday afternoon. In another study, the investigators tracked adoption and euthanasia rates in dogs participating in a graduated walking program with older adults and found that participating dogs were significantly more likely to be adopted and less likely to be euthanized than non-participating dogs (Johnson, McKenney, & McCune, 2010, unpublished). In this way, volunteer-led dog walking programs have the potential to greatly enhance the health of both human and animal participants.

Midday Exercise and Workplace Productivity

Regular opportunities for workers to experience human-animal interactions can serve as an important downtown amenity that can improve health and productivity. In this regard, the Compassion Center’s satellite adoption center may not only improve the health of Oklahoma City residents, but also contribute to the increased productivity of its downtown workforce. In one study, participants spent 30-60 minutes at lunch engaging in activities ranging from yoga to strength training to pick-up basketball. 60% of the workers reported that their time management skills, mental performance, and their ability to meet deadlines improved on days when they

exercised. The amount of the overall performance boost was about 15% according to the findings (Gilson, McKenna, and Cooke 2008). Additional considerations for midday exercise include:

- The energy boost from midday exercise can last for three to four hours;
- Socializing during exercise may provide a mood boost (Thøgersen-Ntoumani et al., 2015);
- Exercising in the presence of natural scenery (i.e. green exercise) has been demonstrated to enhance the self-esteem effect of regular exercise (Pretty et al., 2005).

One explanation for why even a short walk can have such a mood-elevating impact is that taking a walk may help people mentally recover during the day, replenishing depleted mental resources and helping cope with stress. Beyond the physical health benefits of dog walking and socializing with coworkers, regular animal interaction may increase empathy, resulting in a decreased incidence of animal abuse and possible transference to more pro-social interactions with the humans they encounter (Thompson and Gullone, 2003). The Compassion Center satellite adoption center could serve as a gathering space for friends and co-workers to exercise, take a mental break, and create a greater sense of community over their lunch hour while also supporting the animal care operations of the shelter. It is possible that these contributions to empathy, productivity, health, and community, while unmeasured in the current economic impact analysis, are of even greater economic significance than the local purchases associated with constructing and operating the Compassion Center.

Mental Health

The presence of animals in a community may have robust mental health implications for the human residents. In 1998, the American Veterinary Medical Association defined the human–animal bond as “a mutually beneficial and dynamic relationship between people and other animals that is influenced by behaviors that are essential to the health and well-being of both.” The primary benefit of the human-animal bond is the way in which it serves as a reliable and fulfilling relationship in an individual's life. The human-animal bond is comparable to the attachments human adults display. The attachment behaviors of a human-animal relationship

mirror adult attachment behaviors of proximity maintenance, separation distress, secure base, and safe havens (Crawford et al. 2006; Poresky et al. 1987; Topal et al. 1998; Walsh 2009). Because companion animals both give and receive affection, they can contribute to and partially fulfill attachment needs (Krause-Parello, 2008; Kurdek, 2009; Poresky et al., 1987; Walsh, 2009). It is widely believed by health professionals, clinicians, therapists, students, the general population, writers, and researchers that companion animals help to alleviate human loneliness. Gilbey, McNicholas, and Collis (2007) provided a more nuanced understanding of companion animals' impact on loneliness by positing that companion animals provide benefits that allow individuals to believe they are less lonely. Both of these findings are important because loneliness may be linked to an increase in human mortality at a rate comparable to that of smoking or obesity (Holt-lunstad, Smith and Layton 2010).

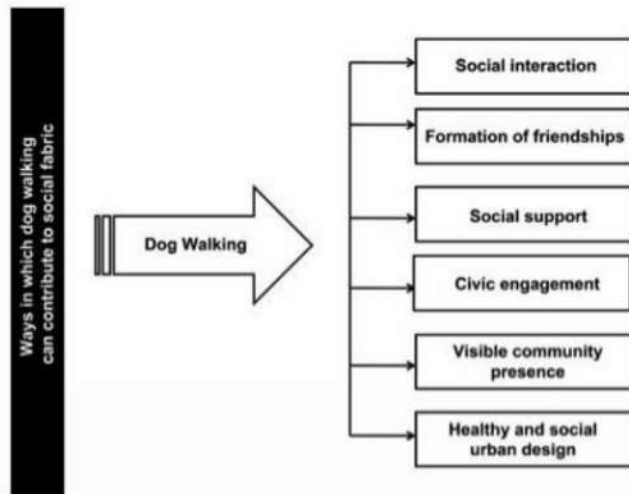
The stress relief that comes from the presence of a dog, coupled with the stress relief that comes from physical activity, such as dog-walking, equates to large potential for holistic health promotion in a population that either owns dogs or has access to interact with dogs. Having a companion animal, potentially by providing social support to the human, lowers blood pressure even when that individual is experiencing mental stress (Allen et al., 2001). Research has also shown that being around a dog can lower levels of the stress hormone cortisol and dampen other physiological stress responses. The effect is so strong that trained service dogs are being used to support war veterans in managing their experience with Post-Traumatic Stress Disorder (PTSD) (Polheber and Matchock, 2014). Companion animals have been found to influence the course and optimal functioning with pervasive developmental disabilities (Martin & Farnum, 2002) and mental health disorders including schizophrenia, depression, anxiety, and ADHD (Beck, 2005). For instance, those with schizophrenia exhibited less apathy, an enhanced quality of life, and increased motivation. In part, interactions with companion animals alter the tendency of those with mental health concerns to focus on negative thoughts. As a result, these individuals have a more beneficial involvement with their environment.

The Compassion Center programs will provide support for a myriad of mental health initiatives, not only by providing animals for adoption and therefore expanding the population of individuals with companion animals, but also by offering opportunities for those who do not live with

companion animals to interact with them in the gathering spaces of the Compassion Center. These contributions to individual physical and mental health of Oklahoma City residents generate larger community and public health benefits, including social capital, an important indicator of a healthy, civil society.

Social Capital

The increased presence of animals in a community has been connected to an overall increase in community cohesion (Wood and Giles-Corti, 2008). An emerging body of evidence is pointing to the ways in which companion animals can act as a social bridge between people and further contribute to tie communities together as a civil society. Social capital is a useful mechanism for capturing the more informal social transactions between individuals and organizations that may then amass to a larger economic benefit. Animal shelter-related activities such as dog walking generate social capital by serving as a social conduit for community members. There are six possible mechanisms through which dogs and dog walking can impact community health by influencing the social fabric of a community (Johnson et al., 2011). These six mechanisms are outlined on the diagram and text, below.



Social Interaction

Studies with experimental designs have compared social encounters experienced by people walking alone versus with a dog. They have found that walking with a dog is a frequent catalyst for social interaction and that those walking with a dog are far more likely to experience social contact and conversation with strangers, compared to solitary walkers (McNicholas and Collis, 2000). Dogs can normalize social interaction, provide a conversation starter or topic, and increase likelihood of perceived friendliness (Wood, 2010). Dogs often serve as a leveling agent, by transcending racial, cultural, geographic, age, and socioeconomic boundaries. This can play an important role in building trust and sense of community at the neighborhood level (Wood, 2010). Rossbach and Wilson (1989) found that being photographed with one's dog made one appear more likeable and therefore improved their social interactions.

Formation of Friendships

Abraham Maslow's "Hierarchy of Needs" hypothesized that after safety, the thing that people need most is "emotional belonging" (friendship, intimacy, trust and acceptance, receiving and giving affection and love, affiliating, being part of a group) (Maslow, 1943). To date, there is limited empirical research on friendships formed specifically through volunteer dog walking activities. However, the connection between volunteering, social psychological factors, and social networks has been captured by what has been termed "social integration theory," or "role theory," which holds that an individual's social connections, typically measured by the number of social roles that an individual has, can provide meaning and purpose to a person's life, while protecting them from isolation in difficult periods. The lack of social support rivals the negative health effects of well-established risk factors such as cigarette smoking, blood pressure, blood lipid concentrations, obesity, and lack of physical activity (House et al., 1988). Research also suggests that volunteering offers participants more than just a social network to provide support and alleviate stress; it also provides individuals with a sense of purpose and life satisfaction (Grimm, Jr, R, Spring, K, and Dietz, N., 2007).

Social Support

Social support is one of ten key social determinants of health identified by the World Health Organization. While the research has yet to study the social support derived from people meeting

through dog walking, there is a growing body of evidence linking both mental and physical health and well-being to social connectedness, social networks, and social support. Conversely, social isolation and loneliness can negatively affect health and are risk factors for poor mental health. Social isolation and a lack of social support have also been linked to increased risk of cardiovascular heart disease, independent of other more established risk factors such as smoking and hypertension (Bunker et al., 2003). Heady (1999) concluded that dogs as companion animals can substitute for deficiencies in the human network of the non-partnered.

Several studies have examined the extent to which associations between volunteering and subjective well-being (SWB) could be related to volunteers having more supportive social networks relative to non-volunteers. The results indicated that the higher life satisfaction and positive affect reported by those who volunteer at moderate levels (up to 7 hours per week) are related to their higher levels of positive social exchanges and greater availability of social support from friends and family, relative to non-volunteers. Those who volunteer at higher levels (7 hours or more per week) also reported greater levels of positive affect in comparison to non-volunteers, and this was related to their greater availability of social support from friends (Pilkington, Windsor, Crisp, 2012). The Compassion Center represents a significant opportunity for isolated individuals to receive social support either informally through interactions with others and their animals or more formally through volunteer opportunities.

Civic Engagement

Civic engagement is one of the markers of a civil society and relates to the capacity of individuals to be concerned and active within the community. This in turn creates the “social capital” from which others can benefit (Johnson, Beck, and McCune, 2011). In one study, survey respondents were asked whether they had taken action on a local issue such as attending a local action meeting, writing to a newspaper or politician about a local issue, or signing a petition. Pet owners were 57% more likely to be engaged than non-pet owners on this civic engagement scale (Wood et al., 2005).

Many of the issues that provoke the concern and interest of dog owners have the potential to benefit the community more broadly. Dog walkers have a vested interest in the availability and maintenance of local parks and open space, adding their “voice” to the broader imperative for

access to parks, open space, and opportunities to come into contact with nature. A high proportion of program participants in a Western Australia's "Adopt-A-Park" program have a dog and attend parks regularly with their dog. Activities undertaken by "Adopt-A-Park" supporters, including those with companion animals, include picking up litter, removing or reporting graffiti or damaged equipment, and providing a positive presence in parks (City of Stirling, 2009). In this way, the civic engagement of individuals with companion animals can play an important role in advocating for the maintenance of structures that will achieve the overall walkability of Oklahoma City's urban amenity complex.

Visible Community Presence

The visible presence of people can enhance both the actual and perceived safety of a community as embodied in the notion of "eyes on the street." Woods and Giles (2008) found that the more people "out walking", the safer the neighborhood is for those who walk. In one social capital study, the visible presence of people "out and about," including dog walking, emerged as a positive marker of community safety, while deserted streets and parks conveyed negative impressions about safety, crime, and general sense of community (Wood et al., 2007). A spillover effect is present, with community "out and aboutness" and its influence on perceptions of safety benefitting both those with and without dog. It is plausible that the visible presence of dogs being walked, the accompanying social exchanges, and the impetus dogs provide for people to be out walking in the streets and parks, all contribute to increased feelings of collective safety and perceptions of sense of community (Wood et al., 2005).

Conversely, seeing few or no people fuels concerns about the safety of the neighborhood and may further deter social interaction with community members and the opportunity to strengthen community ties (Jacobs, 1961). A fear of crime and not feeling safe can sometimes be as detrimental in a community as actual crime; if people are fearful they may be less likely to go out of their home or use local facilities, be reluctant to walk to destinations, or hesitant to interact with strangers or people they meet in the street, particularly at night.

Healthy and Social Urban Design

There is growing recognition of the role of the intentionally-designed urban environment in health and social well-being. People who walk with dogs are attracted to attributes of neighborhoods that are equally valued by everyone, such as walkable streets and parks that are attractive, well lit, and safe. General features of the physical environment that support physical activity and walking in the population (such as park attractiveness, size, accessibility, and safety) are also important for dog walkers (Cutt, 2007). In *The Great Neighborhood Book*, Walljasper writes, “When you create a neighborhood that’s friendly to dogs, it’s friendly to people, too. The traffic is not speeding and dangerous. There are green places to hang out and walk. So dogs are a good indicator species” (Walljasper 2007).

Conclusion

OK Humane’s proposed Compassion Center will serve as a resource for both the companion animal and human residents of Oklahoma City through traditional shelter functions, as well as innovative community programming. The center has the potential to drive significant economic, health, and social capital benefits by supporting urban revitalization and the overall health and wellness of the human population through the expansion of pet ownership. From a directly calculable perspective, based on current center plans and available economic models, the Compassion Center could create upwards of \$118,000,000 in direct, indirect, and induced economic effects over five years.

Beyond the calculated economic impact, the Compassion Center will anchor the new urban amenity complex. This location may serve to draw additional development to the area as well as facilitate human-animal interaction for downtown workers and residents. Furthermore, it is a signal to the Oklahoma City community, as well as people and business considering a move to Oklahoma City, that the community values companion animals and the benefits that come from having them as an integral part of the community.

By providing the opportunity for increased human-animal interaction, the Compassion Center may help Oklahoma City achieve the benefits that come from incorporating companion animals in a community. Research indicates that companion animals can improve an individual’s holistic

wellness, including their physical, mental, and social health. The physical health benefits that come from interaction with companion animals include, but are not limited to, increased physical activity, decreased obesity, and improved cardiovascular performance. The presence of companion animals in a community may also have robust mental health implications for the human residents. The human-animal bond can alleviate loneliness, depression, and stress, all of which have the potential to increase human morbidity on the same scale as physical factors such as smoking and obesity. Finally, the increased presence of animals in a community has also been connected to an overall increase in community cohesion. Companion animals act as a social conduit, encouraging social interaction and connectedness. They can also inspire higher levels of civic engagement and contribute to the feelings of safety in a community. Beyond the obvious benefits that come with better wellness, community health improvement often results in lower health care costs for that community.

The Compassion Center will be unique space in Oklahoma City that, through animal intake, adoption, and community programming, will come into contact with the wide variety of human strengths and challenges. The center will utilize both established best practices in animal care as well as humane community education to support the human residents and generate comprehensive and holistic social change. In this way, the Compassion Center will serve as an important resource for Oklahoma City to help better understand and refine its relationship with companion animals.

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**Legislating Components of a Humane City:
The Economic Impacts of the Austin, Texas "No Kill"
Resolution (City of Austin Resolution 20091105-040)**

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Executive Summary

A Humane City is characterized by the presence of leadership, institutions, and policies working collaboratively across systems to create and implement sustainable human, animal, and environmental welfare. In addition to improving animal welfare, cities that align their policies with humane tenets of compassionate engagement may accrue important economic, public health, and social benefits for their human residents. This report investigates and measures the economic impacts of the City of Austin Resolution 20091105-040, commonly referred to as the "No Kill" resolution, utilizing standard impact assessment methodology. Resolution 20091105-040 resulted in the implementation of a series of recommendations that included achieving and maintaining a 90% Live Release Rate for all companion animals housed at the City of Austin's municipal animal shelter. In order to effectively determine the impact of Resolution 20091105-040, this study utilized data obtained from a variety of sources, including Austin Animal Center (the municipal animal shelter), Austin Pets Alive! (a private, non-profit animal shelter that takes in Austin Animal Center's "at risk" for euthanasia animals), public information requests, survey responses from Austin residents, the U.S. Census Bureau County Business Patterns report, American Housing Survey reports, and IMPLAN software.

The economic impact of Resolution 20091105-040 has been measured with consideration for the increased costs and economic outputs resulting from the changes in shelter operations, the potential growth in utilization of veterinary and pet care services, and the potential increases in retail sales of pet products in the Austin/Travis County area. Calculations were also used to estimate the more indirect impacts on the City of Austin's brand equity. Over the period of study (2010-2016), the regional economic impact of the Resolution has been conservatively measured as follows:

Impacts:

Resolution Premium	(\$30,379,667)
Shelter Operations	\$40,938,565
Veterinary/Pet Care Services	\$49,307,682
Pet Retail Services	\$25,333,237
City of Austin Brand Equity	\$72,252,686

TOTAL ECONOMIC IMPACT	\$157,452,503
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In addition to exploring the specific economic impacts of Resolution 20091105-040, this report also outlines, but does not quantify, the potential broader impacts of the Resolution on human, animal, and environmental health. These areas of impact include: public health, social capital, and community engagement.

Overall, this report concludes that a high Live Release Rate is achievable on a community-wide level. However, Resolution 20091105-040 has resulted in a considerably higher than average cost per animal served by Austin Animal Center when compared to previous City of Austin expenditures and several other major U.S. cities¹. These costs are balanced by a series of economic and public health benefits that may be accrued across the community. These findings are largely generalizable due to the utilization of conservative data assumptions and standard economic analyses. Austin's municipal shelter undertook a major operational shift to implement the legislation, which required coordinated and sustained collaboration between Austin's animal welfare organizations, city policies, city leadership, and citizens (both pet-keeping and otherwise). A city's decision to implement comparable policies should be made with consideration for the capacity of the existing animal welfare organizations, the cost and resources needed from both community members and partner organizations, and the ethical balance the community seeks to achieve between the animal welfare issues associated with euthanasia versus extended lengths of stay under sheltering conditions.

¹ These five U.S. cities do not have legislation that specifically governs municipal shelter operations in terms of Live Release Rate.

Abbreviations

AAC	Austin Animal Center
AAS	Austin Animal Services
ABP	Analysis by Parts
AHS	Austin Humane Society
APA	Austin Pets Alive!
AVMA	American Veterinary Medical Association
CBP	County Business Patterns Survey
IHAC	Institute for Human-Animal Connection
IO	Input-Output
LRR	Live Release Rate
MSA	Metropolitan Statistical Area
RTO	Return to Owner
TLAC	Town Lake Animal Center

Introduction: Legislating a Humane City

One Health, a concept collaboratively proposed by the American Veterinary Medical Association (AVMA) and the American Medical Association (AMA), literature documents the ways in which human, non-human animal (henceforth “animal”), and environmental health outcomes can be interconnected. This concept provides a foundation upon which to advocate for policies that promote attention to animal welfare². Making the case for adopting policies that promote the wellbeing of all living things requires an increase in interdisciplinary engagement that can specifically address the economic and social pressures that bring harm to human populations, animal populations, and the environment alike^{3,4}. A Humane City, as defined by the University of Denver’s Institute for Human-Animal Connection, is characterized by the presence of leadership, institutions, and policies working collaboratively across systems to create and implement sustainable human, animal, and environmental welfare. Animal welfare organizations, specifically local companion animal shelters and rescues, provide an opportunity to understand how one aspect of a Humane City – progressive animal welfare policies – can impact the health and prosperity of a community.

Utilizing a social-environmental-economic impact analysis methodology⁵, the following study measured the social, environmental, and economic impacts of the City of Austin Resolution 20091105-040, commonly referred to as the Austin “No Kill” resolution (the report will reference the resolution number throughout for specificity within the context of several animal-related city resolutions implemented during this time). How these impacts contribute to more global outcomes in areas of public health and safety will also be discussed. Resolution 20091105-040 represents just one policy that contributes to Austin’s advancement towards a Humane City designation, as defined by the aforementioned criteria. A Humane City will have a system of policies promoting compassion and respect that transverse all aspects of public life. Additional examples of humane policies in Austin include the conservation measures for the bat colonies under the Congress Avenue Bridge, ordinances that prohibit the chaining of dogs, the establishment of pet-friendly office spaces⁶, and the passage of a Children’s Outdoor Bill of Rights Resolution⁷. These policies are all indicative of a city committed to promoting a balance among human, animal, and environmental systems. This report will present Resolution 20091105-040 as a case study of the impacts that may result from efforts directed towards establishing a Humane City.

² American Veterinary Medical Association (2008). One health: A new professional imperative. Retrieved from: https://www.avma.org/KB/Resources/Reports/Documents/onehealth_final.pdf.

³ Edwards, P. & Abivardi, C. (1998). The value of biodiversity: where ecology and economy blend. *Biological Conservation*. 83:3. 239-246.

⁴ Folke, C., Holling, C.S., & Perrings, C. (1996). Biological diversity, ecosystem and the human scale. *Ecological applications* 6, 1018-1024.

⁵ Vancly, F. (2015). Social impact assessment: guidance for assessing and managing the social impacts of projects. International Association of Impact Assessment.

⁶ <http://www.builtinaustin.com/2017/04/24/office-perks-dogs>

⁷ <http://www.childrenandnature.org/2017/05/25/a-childs-right-to-nature-why-the-city-of-austin-created-a-childrens-outdoor-bill-of-rights/>

Background

Austin and Travis County Community Profile

The population of Travis County has increased by 17.1% over the last six years with the population estimated at 1,199,323 individuals as of July 2016⁸. Of the residents in the county, 49.4% identify as white only, 33.8% identify as Hispanic or Latino, and 8.9% identify as Black or African American, with the remaining 7.9% identifying as another race or ethnicity⁹. Approximately 62% of the population is within the age range of 18 and 65, and 46% of all Austin residents report that they have attained an education of a Bachelor's degree or higher. In rankings of the most educated cities in the U.S., Austin frequently appears in the top 10¹⁰. As of 2016, there are an estimated 499,062 housing units, with the median gross rent listed as \$1,054 and the median household income reported at \$61,451¹¹.

The city of Austin's pet-keeping rate is estimated to be higher than the rates on both the national level and in the state of Texas. Although no survey has been conducted in Austin to specifically measure the rate of pet-keeping, two data sources for pet-keeping rates across the U.S. were used to calculate Austin's pet-keeping for the purposes of this report. In a survey conducted by the AVMA in 2012¹², which collects data on the state level but not at the county or city level, Texas ranked 21st in pet-keeping (data in Appendix A). The American Housing Survey presented by the U.S. Census Bureau¹³ indicated that the Austin-Round Rock area was 3rd out of the 25 Metropolitan Statistical Areas (MSAs) in percentage of housing units that are occupied with pets in 2013 (Appendix B)¹⁴. When assessing the two sources for an estimate of pet-keeping in Austin, AVMA and the American Housing Survey yield different pet-keeping rates likely due to definitional issues¹⁵. For the purposes of this report, Austin is estimated to have a 63.4% pet-keeping rate as of the year 2012 (Table 1)¹⁶.

⁸ <https://www.census.gov/quickfacts/fact/table/traviscountytexas,austincitytexas/PST045216>

⁹ Ibid.

¹⁰ <https://wallethub.com/edu/most-and-least-educated-cities/6656/>

¹¹ <https://www.census.gov/quickfacts/fact/table/traviscountytexas,austincitytexas/PST045216>

¹² <https://www.avma.org/KB/Resources/Statistics/Pages/Market-research-statistics-US-pet-ownership.aspx>

¹³ https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=AHS_2013_S06AO&prodType

¹⁴ This data comes from a survey that include a question on the presence of pets in occupied units as part of the 2013 Emergency and Disaster Preparedness supplement conducted for 25 Metropolitan Statistical Areas (MSA). This data was not available longitudinally because the American Housing Survey does not regularly track pet-keeping.

¹⁵ The American Housing Survey is designed to determine pet-keeping rates for disaster preparation purposes, which include considerations such as ease of entry and potential exits to occupied units where pets may reside

¹⁶ National and TX ownership rates as reported in AVMA 2012 Report.

Region	Estimated % of Households with Pets
USA	56.0%
Texas	58.5%
Austin - Round Rock MSA	63.4%

Table 1. Austin pet-keeping rate was estimated using 2013 American Housing Survey data, where Austin-Round Rock MSA's "units occupied with pets" rate was reported to be 113% of national pet-keeping rates. Because American Housing Survey data were not available at the state-wide level, 113% was then applied to national AVMA reported pet-keeping rates to estimate Austin's pet-keeping rate of 63.4%¹⁷.

Within the city limits of Austin, there are three animal shelters that provide the majority of services for unhoused companion animals. Austin Animal Center (AAC) is the publicly funded municipal shelter for the city, whereas Austin Pets Alive! (APA) and the Austin Humane Society (AHS) are private, nonprofit facilities that provide the largest percentage of remaining companion animal relinquishment and/or adoption opportunities within the city. Through transfer partnerships among the three shelters, and with an extensive network of rescue groups in the area, the city of Austin serves over 31,000 companion animals each year¹⁸. For the purposes of the impact analysis as it pertains to the implementation of Resolution 20091105-040, this study documented the specific processes of two of these three major sheltering organizations, AAC was selected because it was the primary shelter impacted by Resolution 20091105-040. APA was selected due to its role as a formal partner to AAC in increasing lifesaving for those animals most "at risk" (of euthanasia), both prior to and following the Resolution. These two organizations represent a significant majority of the sheltering available for animals in Austin, with AAC and APA handling a combined 68% of all animals sheltered in the city in 2016 (Figure 1).

¹⁷ Due to the limitations of existing data on rates of pet-keeping, comparisons of pet-keeping rate prior to the implementation of the Resolution and following the Resolution could not be calculated.

¹⁸ http://www.austinhumanesociety.org/about-us/about_faqs/

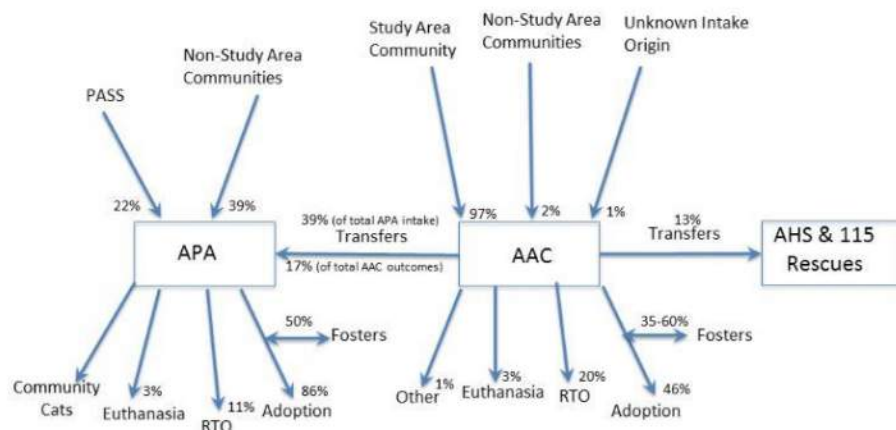


Figure 1. The dynamics of intake and outcomes within two of Austin's primary animal shelters in 2016¹⁹. Percentages represent the portion of all animals taken into the care of AAC and APA that were documented within the intake or outcome category.

Austin Animal Center Overview

AAC is one of the largest publicly-funded, municipal animal shelters in the United States that aligns itself with the "No Kill" shelter management practices²⁰ under municipal mandate. In 2016, AAC took in over 16,000 animals²¹. The shelter operates largely as an open admission facility, with the exception of times in which sheltered animal volume is high (this operational model as a result of Resolution 20091105-040 is described in greater detail in the "Shelter Management and Outcomes" section of this report). As a component of the implementation plan for Resolution 20091105-040, AAC established a formal partnership with APA to serve Austin's most at-risk (of euthanasia) companion animals.

Austin Pets Alive! Overview

APA is a privately funded, 501(c)(3) non-profit organization that was reorganized in 2008 as a companion animal rescue focused on serving the populations of dogs and cats that were most at risk to be euthanized at AAC prior to the passage of Resolution 20091105-040. Those identified as most at-risk included: puppies with parvovirus, neonatal orphaned kittens, cats with ringworm or feline leukemia, large adult dogs, and animals requiring significant behavioral and/or medical treatment. As a result of its early focus on these challenging populations, APA has a collection of innovative programs designed to support medical and behavioral challenges that were previously considered grounds for euthanasia. APA's medical clinic operates on a model of cost-effective care

¹⁹ Based on animal intake and outcome data provided by AAC and APA.

²⁰ http://www.nokilladvocacycenter.org/uploads/4/8/6/2/48624081/no_kill_101.pdf

²¹ AAC intake data

for critically injured and ill dogs and cats. The behavior program is designed for the enrichment and stress relief of dogs with extended stays and includes daily playgroups as well as Canine Good Citizen training and certification²². To facilitate adoption of its animals, APA utilizes on-site matchmakers with intimate knowledge of individual animals, an extensive foster care network that makes animals in off-site care available to potential adopters, and virtual fosters who support APA staff in communicating with potential adopters. APA does not offer owner relinquishment services. Therefore, the animals available for adoption at APA are comprised of transfers from AAC, other local shelters, and increasingly, other shelters in Texas. APA also accepts animals from the Positive Alternatives to Shelter Surrender (PASS) program offered through AAC and APA's websites (described in more detail in the "Shelter Management and Outcomes" section). In 2016, APA took in over 7,000 animals, many of which (39%) came as transfers from AAC²³.

History of City of Austin's Resolution 20091105-040

Historically, Austin's municipal shelter (formerly located at Town Lake Animal Center, and now AAC) had an exceptionally low rate of live outcomes for animals that entered its care. Prior to 1997, nearly all orphaned kittens and puppies under the age of eight weeks, dogs with parvovirus, and cats with ringworm were euthanized at the time of intake. The Live Release Rate (LRR) (defined as the percentage of animals leaving the shelter alive, no matter what their health or behavior status, through adoption, return to owner, or transfer) during this time frame is estimated to have been approximately 15%. In 1997, Austin's animal welfare leaders came together to evaluate these outcomes and worked with the Austin City Council to pass the No Kill Millennium resolution (City of Austin Resolution No. 971211-41²⁴). This resolution stated that the city's Animal Advisory Commission would work with the group of citizens organized under the name Austin Pets Alive! to take steps towards ending the killing of adoptable sheltered companion animals by the year 2002. In Austin, the Animal Advisory Commission is responsible for: advising the city council and the Travis County Commissioners Court on compliance with Texas Health and Safety Code; advising the city council on animal welfare policies and on budget priorities identified by the Commission and the community; promoting collaboration between the City and interested parties relating to animal welfare in the city; identifying proactive, creative approaches to engage and facilitate communication within the animal welfare community; and fostering and assisting the development of animal welfare programs in the community²⁵. In accordance with best practices in reducing companion animal populations, substantial resources were committed at this time towards accessible

²² <http://www.akc.org/dog-owners/training/canine-good-citizen/>

²³ APA intake data

²⁴ <http://www.austintexas.gov/edims/document.cfm?id=131520>

²⁵ <https://austintexas.gov/aac>

spay/neuter services^{26,27,28,29}. As a result of this initial resolution, the LRR was reported to have increased to 50% by 2005³⁰.

In January of 2009, the efforts to continue to increase Austin's LRR were renewed with Resolution No. 20090115-059³¹, which provided a directive to the Animal Advisory Commission to "evaluate and make recommendations on policies and programs proven to be effective at reducing the killing of homeless animals, including, but not limited to, policies and programs related to reducing the intake, and increasing live outcomes, of sheltered animals." As a result of this directive, Resolution 20091105-040³², commonly referred to as the "No Kill" resolution, was passed in November of 2009. This resolution directed the City Manager to operationalize the Animal Advisory Commission's recommendations, one of which committed the city to achieving a 90% LRR^{33,34,35}. The implementation plan for achieving this goal (approved March 11, 2010) included: an immediate moratorium on the euthanasia of animals if there were available kennels at the municipal facility; redefining the mission of the Austin Animal Services (AAS) department; transitioning the municipal facility out of the Town Lake Animal Center (TLAC)³⁶ to the AAC facility (built in 2011); offering off-site adoptions; increasing medical capacity; hiring full-time companion animal behaviorists; revising the relinquishment processes to require counseling appointments; expanding the foster care program; enhancing spay/neuter outreach; returning stray cats to their source communities; increasing relationships with rescue groups; and increasing public awareness through marketing campaigns. An additional Resolution was passed in March of 2010 (Resolution No. 20100311-021³⁷) to include supplemental funding for programs that were believed to be contributing to the increase in City of Austin's LRR, including off-site adoptions, on-site veterinary and behavior staff, stray cat relocation field services, and spay/neuter outreach.

The process of gaining public support for the resources needed to achieve the goal of 90% live outcomes for all animals at the municipal facility did not proceed without resistance^{38,39}. The "No Kill" movement has emerged as a contentious issue across local and national animal sheltering communities, generating critical discussion around topics of data collection, reporting of outcomes, and best practices in animal

²⁶ Frank, J.M., Carlisle-Frank, P.L. (2007). Analysis of programs to reduce overpopulation of companion animals: Do adoption and low-cost spay/neuter programs merely cause substitution of sources? *Ecological Economics*, 62, 740-746.

²⁷ Frank, J. (2004). An interactive model of human and companion animal dynamics: the ecology and economics of dog overpopulation and the human costs of addressing the problem. *Journal of Human Ecology* 32 (1), 107-130.

²⁸ Hodge, G.H. (1976). The reign of dogs and cats' or contemporary concepts of animal control. *Management Information Service Report* 8 (10), 1-20.

²⁹ Clancy, E.A., Rowan, A.N. (2003). Companion animal demographics in the United States: a historical perspective. *The state of the Animals II: 2003*. Humane Society of the United States, Washington DC.

³⁰ <https://www.austinpetsalive.org/2016/07/history-of-no-kill-part-1/>

³¹ <http://www.austintexas.gov/edims/document.cfm?id=125481>

³² <http://www.ci.austin.tx.us/edims/document.cfm?id=131732>

³³ http://www.austintexas.gov/sites/default/files/files/Animal_Services/priority_recs_0211.pdf

³⁴ http://www.austintexas.gov/sites/default/files/files/Animal_Services/aac_no_kill_implementation_plan.pdf

³⁵ http://www.austintexas.gov/sites/default/files/files/Animal_Services/aac_report.pdf

³⁶ Green, A. (2015, December 11). Austin moves forward with plans to expand Animal Center. *My Statesman*. Retrieved from: <http://www.mystatesman.com/news/local/austin-moves-forward-with-plans-expand-animal-center/hxs5K7DhkSQoofm8WIPnsM/#95e1573e.3594764.735717>

³⁷ <http://www.austintexas.gov/edims/document.cfm?id=135138>

³⁸ http://www.americanpetsalive.org/wp-content/uploads/2012/11/how_apa_started.pdf

³⁹ <http://www.ci.austin.tx.us/edims/document.cfm?id=134839>

care and welfare⁴⁰. The implementation of Resolution 20091105-040 and the programmatic changes required to maintain a 90% LRR for animals entering into Austin's municipal facility required increases to the city budget, ongoing renovations to the AAC facility, and an increased demand for community volunteers to perform the various animal care responsibilities of the shelter. Concerns around restricted intake of animals, increased lengths of stay, higher costs per sheltered animal, and an increased burden on surrounding communities remain topics of interest when evaluating the impacts of the shift in sheltering operations as a result of Resolution 20091105-040.

Despite the success of the city in achieving and exceeding their 90% LRR goal following the implementation of the Resolution in 2010, an audit of Austin Animal Services conducted by the City of Austin in April of 2015 identified the existence of several of the concerns described above. The audit concluded: "(Austin) Animal Services does not have sufficient facilities and resources allocated to meet the 90% live outcomes goal and remain in line with State requirements⁴¹ and industry best practices." Factors informing the audit's conclusion included lack of appropriate housing units, inadequate staffing for the various programs and services, inappropriate cohabitation of animals, extended length of stays, and extended response times to animal control/protection calls⁴². An important lesson learned from the experience in Austin is the importance of capacity-building prior to implementing such a dramatic shift in procedures. This shift in operations (specifically the increased number of animals housed and the moratorium on euthanasia for space considerations) likely contributed to the issues identified in the 2015 audit, which AAC was then able to respond to by implementing a variety of operational changes. The changes included: increased staffing in areas of animal care, increased kenneling and foster capacity, and improved communication with the community around issues of animal protection officer response time as well as the situations that require limited or managed admission of relinquished animals. Each of these components represents an area of organizational capacity that can be optimized to improve the LRR across a variety of sheltering systems.

Now seven years into the implementation of Resolution 20091105-040, the City of Austin and its animal welfare organizations, partly in response to the city audit, continue to work to improve the operational effectiveness of its shelters in the interest of providing high-quality veterinary and behavioral care to unhoused animals. In January 2014, the city designated \$5.5 million to build 100 new kennels to address overcrowding at AAC⁴³. These kennels were under construction at the time of this report (October 2017). Furthermore, AAC has more recently revised its intake processes to include a shift in orientation to a community resource model. Within this new framework, patrons seeking services at the shelter are first connected to the services that can be offered through other community partners and then offered surrender services at the municipal shelter should all other resources be exhausted⁴⁴. By identifying the existing community assets that support pet-keeping and serving as a conduit to these resources, AAC

⁴⁰ <https://www.austinchronicle.com/news/2011-02-18/safety-net-or-dead-end/>

⁴¹ The specific state requirements that Austin Animal Services was allegedly in violation of were not cited in the body of the Animal Services Program Audit.

⁴² City of Austin (2015, April). Animal Services Program Audit. Retrieved from: <http://austintexas.gov/page/archive-auditor-reports>.

⁴³ <http://www.fox7austin.com/news/664050-story>

⁴⁴ <https://www.austinchronicle.com/news/2016-12-23/five-years-of-no-kill-in-austin/>

expects to continue improving the number of live outcomes at the municipal facility by decreasing the number of animals that are taken into the shelter each year.

While the concerns of the city audit are being addressed and integrated into AAC's operations, the extended animal welfare community continues to engage in critical dialogue around the costs versus the benefits of shelter operations that are aligned with the "No Kill" philosophy, including the ethical issue of potentially stressful increases in length of stay for animals that may have previously been euthanized^{45,46}. While the issue of adopting the practices that are prescribed under Resolution 20091105-040 is subject to each individual community's availability of resources and to their own preferences or policies that guide animal welfare initiatives, the following report will present a unique data-based assessment of the economic, public health, and social impacts of the shift in shelter operations in Austin and the surrounding area of Travis County, Texas that resulted from the implementation of the legislation.

Impact Assessment Methodology

Operations Analyses

This impact assessment has been conducted within an ecological economics paradigm that recognizes that looking at strictly economic inputs and outputs of an issue cannot capture the more complex social or intrinsic value of humane policies. A social-environmental-economic impact assessment is an interdisciplinary evaluation of the potential impacts of a given policy, event, or organization on a community's well-being. For the purposes of this impact assessment, "well-being" is conceptualized in a holistic manner to include socio-economic, physical, mental/emotional, and environmental health, with consideration for the distribution of effects as well as the overall impacts. The current research in impact assessment explores how solving environmental problems like pet homelessness or human health disparities cannot be entirely accounted for using strictly economic analyses, but are more effectively addressed through a discussion of the importance of specific impacts when compared with others^{47,48,49,50}. In this study, the question of whether the increased economic costs of extending the time and resources an animal is allocated in a shelter is a reasonable model for other cities to incorporate is a question that cannot be addressed uniformly. There are a variety of factors that determine the effectiveness of a sheltering organization, including leadership, funding, relationships with surrounding shelters and rescues, the presence of ordinances that promote animal welfare in the community, and the engagement of local community members in animal welfare issues. An ecological systems approach to understanding these complex sheltering systems can contribute to

⁴⁵ <http://www.whypetaeuthanizes.org/quotes/>

⁴⁶ <http://blogs.bestfriends.org/index.php/2011/01/25/petas-better-off-dead-philosophy/>

⁴⁷ Soderbaum, P. (1999). Values, ideology, and politics in ecological economics. *Ecological Economics*, 28, 161-170.

⁴⁸ Franks, D., Vanclay, F. (2013). Social Impact Management Plans: Innovation in corporate and public policy. *Environmental Impact Assessment Review* 43, 40-48.

⁴⁹ Jay et al. (2007). Environmental impact assessment retrospect and prospect. *Environmental Impact Assessment Review* 27, 287-300.

⁵⁰ Vanclay, F. (2004). The Triple Bottom Line and Impact Assessment: How do TBL, EIA, SIA, SEA and EMS relate to each other? *Journal of Environmental Assessment Policy & Management* 6(3), 265-288.

a more robust assessment of the attributing factors by evaluating their impacts on an individual (micro), organizational (mezzo), and community-wide (macro) level^{51,52,53}.

Points of analysis for this assessment include existing data from public health and other government agencies, qualitative responses from surveys administered in the city of Austin, and data provided by two of the primary agencies involved in operationalizing Resolution 20091105-040 (AAC and APA). This process of integrating research evidence, local data, and the knowledge of stakeholders, particularly members of the affected communities, is congruent with impact assessment industry standards⁵⁴.

Data were analyzed using multiple methodologies, including time series event methods such as using before/after analyses (where data from after the implementation of Resolution 20091105-040 through present (2010-2016) were compared to data from prior to the legislation (2005-2009)); and cross-sectional comparisons. These methods were used to identify the potential impacts of the Resolution on the various systems that influence the well-being of both the human and companion animals in the city of Austin and greater Travis County. In general, linear regression analysis was used to identify simple monotonic increases or decreases in trends in the data over time. Slopes with *P* values less than 0.05 were considered to have slopes significantly different than zero, and the slope is reported as the average change per year. Slopes with *P* values greater than 0.05 were considered to represent trends that had not changed significantly over the study period. T-tests were used to identify statistically significant differences between blocks of data (for example, pre- versus post-Resolution).

Economic Analyses

Economic impact analyses are used to estimate the impact of a new activity on a region. The economic impact model used for this report begins with a static delineation of payments between a regional economy's primary institutions (firms, households, and governments). The system of economic impacts can be understood by linking the dollar outputs from a given industry (in this case, animal shelters) to the dollar inputs required from supporting industries (e.g., wholesale purchases of supplies, veterinary equipment purchases, etc.) and the dollar inputs required from households (e.g., labor services in the form of veterinarians, administrative, and support staff). In this way, every dollar of a new output from an industry can be connected to the level of new support required from related industries and regional households.

Economic impacts are estimated as responses to an external stimulus such as new economic activity. The change in final demand for regional production triggered by the stimulus is referred to as the direct effect. In order to accommodate the newly demanded output (e.g., animal adoption, welfare, and educational services), the producers in turn require additional support from their suppliers, and in order for these suppliers to accommodate the new demand, they in turn increase purchases according

⁵¹ Bronfenbrenner, U. (1977). Toward an experimental ecology of human development. *American Psychologist*, 32(7), 513.

⁵² Prenzel, P., Vancley, F. (2014). How social impact assessment can contribute to conflict management. *Environmental Impact Assessment Review* 45, 30-37.

⁵³ Saarikoski, H. (2000). Environmental impact assessment as collaborative learning process. *Environmental Impact Assessment Review* 20, 681-700.

⁵⁴ Mindell, J.S., Bolton, A., Forde, I. (2008). A review of health impact assessment frameworks. *Public Health*, 122, 1177-1187.

to the relationships in the economic model from their supporting industries, and so on. The iterative process of economic increase in output is referred to as the indirect effects of the original stimulus. In addition to indirect effects, an additional layer of economic impact is realized as workers from all levels of the process spend a portion of their additional labor income (and non-labor income). This household spending creates new demand (a second stimulus) from households supporting industries (e.g., health services, retail purchases, food services, etc.) that sets in motion successive economic activity as described previously. The aggregate process of economic activity from household spending is referred to as the induced effects of the initial stimulus.

To analyze the economic impact of AAC and APA's shelter operations, this study utilized an IMPLAN methodology known as Analysis-by-Parts (ABP)⁵⁵, which provides more control over the analysis than the standard industry change methodology and allows for more tailored and accurate outputs. ABP facilitates the analysis of the direct, indirect, and induced effects separately to reflect the lack of proprietor income in the nonprofit and government sectors. For the purposes of calculating the economic impacts of the shelters' operations, IMPLAN's pre-set industry code data⁵⁶ were refined using the additional ABP methodology to increase the sensitivity of the calculations to sheltering-specific effects. Pet care and retail spending were not calculated using IMPLAN because the pre-set categories within the software (industry codes) do not align to the specificity of pet-related services and could not be adjusted sufficiently using the additional ABP methodology. When calculating the total economic impact across the two shelters of interest, 100% of the impact created by the financial activities of APA, and only 3.9% of the impact created by AAC were attributed to the Resolution. While APA was a leader in establishing the standards outlined in the implementation plan, the organization would not have its current impact on the city (financially and otherwise) but for the Resolution. Only 3.9% of the total 2010-2016 impact of AAC was attributed to the Resolution because, as a municipal facility, AAC would still have continued its operations regardless of whether the Resolution had been implemented or not (the calculation of this factor is presented in the Impacts on Veterinary and Pet Services section). Overall, the conclusions presented in this report are consistent with the most conservative possible measure of the data.

Understanding the total impacts of Resolution 20091105-040 is particularly relevant insofar as the legislation continues to be a matter of contention within the animal welfare field. The University of Denver's Institute for Human-Animal Connection (IHAC) is a leading academic center with a robust research agenda aimed at advancing the understanding of the role of the human-animal bond across the lifespan at the individual, organizational, and community level. IHAC's mission is to intentionally elevate the value of the living world and the interrelationship and health of people, other animals and the environment. This is accomplished through natural and social science-

⁵⁵ Economic impact models that estimate the impact of new economic activity based on current linkages between the inputs required from supporting industries and the outputs they support, are known as Input-Output (IO) models. IO models assume a fixed production relationship between inputs and outputs and sufficient slack in the affected markets as to leave prices fixed. The most common IO model application is IMPLAN (IMPLAN, Inc., Huntersville, NC), a data and modeling service commonly used in universities, governments, and economic development agencies to assess the economic impacts of new and existing industry activity. The IMPLAN model application provides a baseline model of state and regional economies.

⁵⁶ The IMPLAN Annual Subscription to Travis County, TX specific-data was used for the economic modeling.

informed research, education, applied knowledge, and advocacy, with an ethical regard for all species. The Institute's location within the University of Denver's Graduate School of Social Work gives it access to a breadth of theoretical and practical knowledge across the social sciences, while also providing the appropriate level of academic objectivity needed to evaluate a policy with many invested parties. This academic perspective informs IHAC's advocacy for evidence-based best practices and policies aligned within its framework of Social Science-Informed Animal Welfare – a framework that emphasizes the importance of addressing the role of human behavior in animal welfare issues. IHAC conducts impact assessments on a variety of animal welfare-related issues in order to inform policy makers at the municipal, county, state, and national level on the positive contributions companion animals make to communities, thereby supporting the establishment of more data-informed animal welfare policies in communities with traditionally high barriers to enacting such legislation. The following report represents a comprehensive assessment of such a policy using a toolset that can be applied to other animal related legislation impact studies in other communities.

Community Impact Assessment Results

Impacts on Shelter Management and Outcomes

Intake

The greatest changes to AAC's shelter operations as a result of Resolution 20091105-040 were the moratorium placed on euthanasia and the resulting need for shifts in procedures for intake. In order to address the increase in the number of animals that would be housed rather than euthanized, the implementation plan for the Resolution included a shift to scheduled intake appointments for any owner surrenders⁵⁷. The management of admission at AAC through these appointments occurs along a continuum that is dependent upon the availability of on-site kennels or community-based foster families, the potential for obtaining a transfer placement, and the intake of animals from the previous day. AAC currently utilizes a coding system to help determine how many owner surrender appointments can be accommodated on a given day and how many animals are to be transferred to shelter or rescue partners such as APA.

The intake coding system (formalized in 2016) communicates the admission status of the shelter both internally to staff members and partner organizations and externally to community members who may wish to surrender their animal. The "green" level of intake is equivalent to what many animal welfare organizations would refer to as "open admission" in which all owner surrendered animals are admitted to the shelter following a relinquishment counseling appointment. The "yellow" level serves as an indicator that kenneling capacity is reaching its limit and results in an increase in communication to community members, either through social media or various news outlets, that there is a need for temporary foster placements or increased rate of adoption. In "yellow" there are also some restrictions on owner surrender appointment

⁵⁷ https://www.austintexas.gov/sites/default/files/files/Animal_Services/priority_recs_0211.pdf

availability. The “red” level of intake restricts intake to, on average, 50% of what can be admitted on a “green” admission day, in which only stray animals whose homes cannot be located or community member’s animals with circumstances for surrender that are elevated to the emergency status are prioritized and all other surrender appointments may be deferred until a yellow or green intake level is restored. In its first official year of implementation (2016), AAC intake was under the “yellow” status for a total of 30 days and the “red” status for 15 days. These varied levels of intake ensure any animals admitted to the municipal facility will either receive appropriate care while being housed at the shelter (as defined by Resolution 20091105-040), or will remain in more temporary placements until the shelter is able to offer them a space in the facility.

The total intake at a shelter is influenced by owner surrender, strays turned in either by the public or by animal protection services, and animals that are transferred in from other facilities. The trends in the various components of AAC’s intake and outcomes have been evaluated using data provided by AAC and APA from 2005 to 2016 (Figure 2). During that period, the trend in total dog intake has decreased by an average of 362 animals per year ($P < 0.001$) to approximately 10,000 dogs in 2016. Similar results are seen when comparing total dog intake before and after 2010 using a t-test analysis, with total intake from 2010-2016 ($M = 10,881$, $SD = 744$) significantly less ($P < 0.001$) than total intake from 2005-2009 ($M = 13,079$, $SD = 666$). Similar to dogs, the trend in total cat intake from 2005 to 2016 has decreased by an average of 207 animals per year ($P = 0.036$) to approximately 7,000 in 2016. However, this trend was not detected in a t-test analysis, with total cat intake prior to the implementation of the Resolution (2005-2009) ($M = 8,697$, $SD = 1,189$) not varying significantly ($P = 0.088$) from total cat intake following the implementation of the Resolution (2010-2016) ($M = 7,451$, $SD = 888$).

The trend most directly impacted by the implementation of the Resolution is that of owner surrender at AAC (Figure 2). The reasons for relinquishment of dogs and cats to animal shelters offered by patrons at intake include behavior or medical concerns for the animal, an individual caretaker’s own financial or social limitations, or a limited goodness-of-fit between the animal and the caretaker’s lifestyle⁵⁸. These individual human and/or companion animal challenges may also be compounded by larger structural issues such as accessibility of pet-supportive services, availability of pet-friendly housing, and/or the presence of city-wide restrictions on particular breeds.

⁵⁸ Coe, J., Young, I., Lambert, K., Dysart, L., Nogueira Borden, L., Rajić, A. (2014) A Scoping Review of Published Research on the Relinquishment of Companion Animals, *Journal of Applied Animal Welfare Science*, 17:3, 253-273.

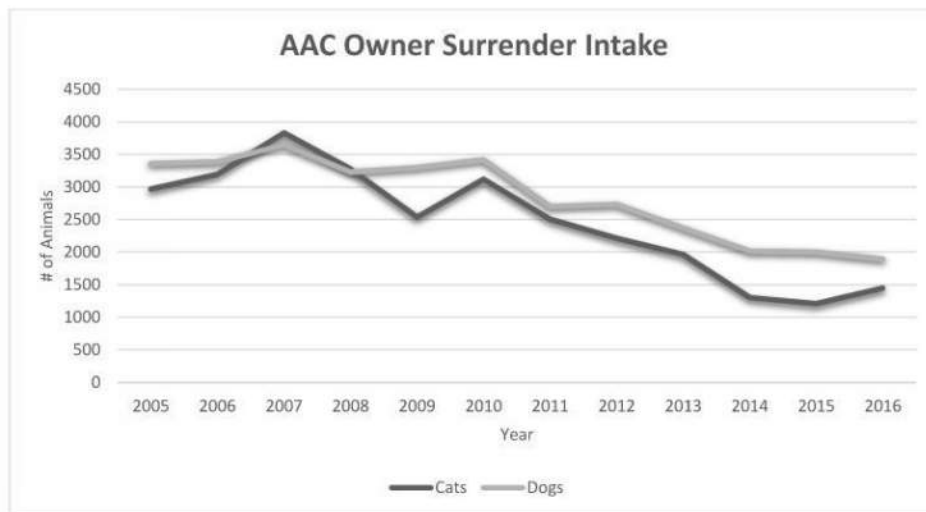


Figure 2. Total annual intake through owner surrender of dogs and cats at AAC from 2005 to 2016. Dataset is provided in Appendix C.

Overall, there has been a decrease in the trend of owner surrendered animals at AAC. Dog relinquishment from 2005-2009 ($M = 3,382$, $SD = 159$) and from 2010-2016 ($M = 2,447$, $SD = 546$) differed significantly using a t-test analysis ($P = 0.003$). Cat relinquishment from 2005-2009 ($M = 3,162$, $SD = 471$) and from 2010-2016 ($M = 1,966$, $SD = 703$) also differed significantly using the same analysis ($P = 0.005$). While it is not possible to assign a specific source for the changing trends in total intake, potential drivers of the decreased rates of surrender include: the periods of managed admission at AAC that limit number of animals admitted through surrender appointments, increased social awareness of responsible pet-keeping practices as a result of the legislation, or improvements across Austin on issues that drive relinquishment such as pet-friendly rental housing, access to veterinary care, or behavioral training support services.

While owner surrender is offered at AAC as shelter capacity allows, as a municipal facility, the primary purpose of AAC is to provide ongoing animal protection services, including housing lost or stray animals and housing those animals seized through cruelty or neglect investigations. Operationally, stray animals are brought into the shelter's care either by community members who bring them to the facility or by the animal protection officers who conduct field services for Travis County. Analysis of stray dog intake from 2005 to 2016 identified a trend in number of stray dogs that decreased by an average of 147 animals per year ($P = 0.008$) to approximately 7,000 dogs (Figure 3). A t-test analysis of stray dog intake from 2005 to 2009 ($M = 8,525$, $SD = 565$) compared to stray dog intake from 2010 to 2016 ($M = 7,405$, $SD = 321$) found a significant decrease ($P = 0.008$) following the Resolution. Although the management of admission as a result of the Resolution does not include changes to how stray animals are received from community members or animal protection officers, the decreasing

trends in number of stray dogs brought into the shelter since the implementation of the Resolution may reflect any of the following practices that have been reported: decreased pick-up of stray dogs by animal protection officers, increased effectiveness of return to owner processes such as microchipping or field returns offered by animal protection officers, or an overall decrease in the number of animals that the community has lost. However, the trend in stray dog intakes as a percentage of total intake has increased by 0.8% per year since 2005 ($P = 0.007$), with 72% of all AAC's dog intake in 2016 being classified as strays (data provided in Appendix C). This increase in percentage is, at least in part, affected by the decrease in owner surrender.

In contrast to dogs, stray cat intake had no statistically significant change in the trend between 2005 and 2016 at an average of 4,497 cats per year ($P = 0.194$). A t-test analysis of stray cat intake from 2005 to 2009 ($M = 5,024$, $SD = 885$) compared to stray cat intake from 2010 to 2016 ($M = 5,221$, $SD = 719$) confirms that there has been no significant change in stray cat intake as a result of the Resolution ($P = 0.693$). However, similar to that seen in dogs, the trend in stray cat intake as a percentage of total intake increased by 2.9% per year since 2005 ($P < 0.001$) to approximately 76% in 2016.

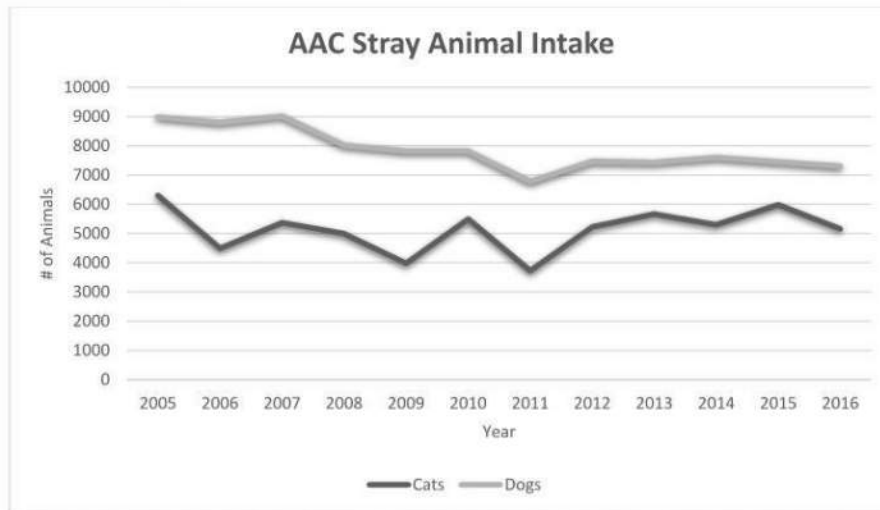


Figure 3. Total annual intake of stray dogs and cats at AAC from 2005 to 2016. Dataset is provided in Appendix C.

Overall, the trends seen in intake from 2005 to 2016 reflect an overall decrease in number of animals in the care of AAC, with the animals who are at AAC being more likely to have come into the shelter as a stray rather than as a transfer from another organization or as an owner surrender. These data indicate that while the management of intake has impacted the total number of dogs taken into AAC, including the number of dogs surrendered by the owner, the total number of cats taken in has not changed significantly (as assessed by the t-test) since the Resolution was implemented. It is important to note that other dynamics in a community around keeping cats as pets,

including the effectiveness of spay and neuter services or community cat programs, can impact a municipal shelter's cat intake numbers.

The implications of AAC's shift in management practices as a result of Resolution 20091105-040 include a new emphasis on creating a continuum of pet-supportive services provided to Austin residents that include but are not exclusively provided by the city's municipal facility. When admission levels are "green" community members seeking to surrender their pet are able to do so following an appointment with a relinquishment counselor, whereas when admission levels are "red" there is a much greater emphasis on supporting community members in identifying alternatives to surrendering to the shelter. Instead, community members who identify a need to surrender their pet are asked to attempt to rehome the animal on their own or to keep their pet in their home, a family member's home, or a friend's home until capacity is freed in the shelter. This practice could be considered a mechanism through which community members are asked to remain accountable for practicing "responsible" pet-keeping, but it is also possible that animals not admitted when owners request to surrender them are then either taken to shelters in surrounding areas or abandoned in the community.

While the management of admission has significantly decreased the total number of animals taken in at AAC, public information request data obtained from the areas surrounding Travis County (San Marcos County, Bastrop County, and Williamson County) indicate that just 37 of the animals that came into their shelters between 2010 and 2016 reported an originating Travis County zip code (including RTO animals). These data indicate that the management of admission is not resulting in Travis County community members relinquishing to shelters outside of Austin, and therefore negatively impacting the sheltering operations of surrounding communities. Additional data obtained through public information request indicated that there is no statistically significant difference in the number of dead companion animals picked up by City of Austin Solid Waste Services before ($M = 874$, $SD = 321$) and after ($M = 862$, $SD = 174$) the passage of Resolution 20091105-040 ($P = 0.936$) (Figure 4)⁵⁹. Therefore, although the periods of managed admission likely affect the overall companion animal outcomes to some extent in Austin and Travis County, the impacts are not substantial enough to be identified within existing data sources. These trends are presumably influenced by factors including community response to the admission coding system and the low percentage of time AAC is under a yellow or red admission code (12% of days in 2016).

⁵⁹ Public Information Request - City of Austin Solid Waste Services

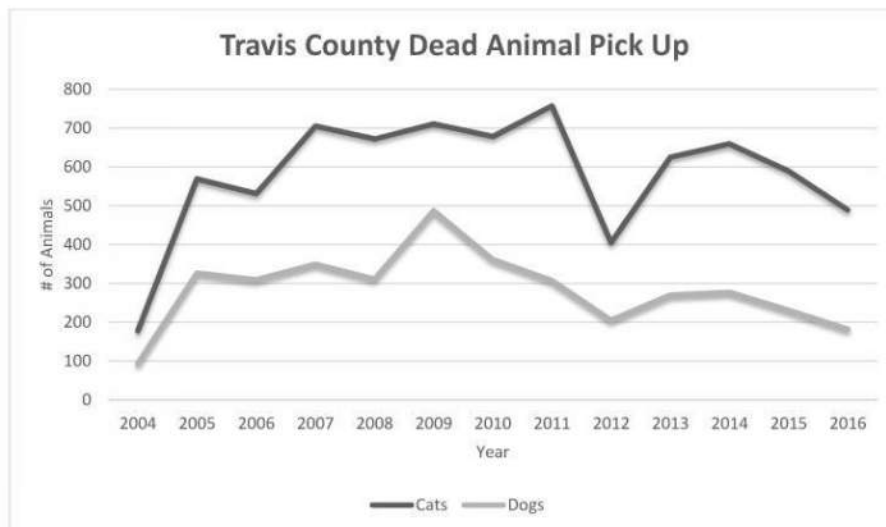


Figure 4. Annual number of dead animals picked up in Travis County from 2004 to 2016. Dataset is provided in Appendix D.

Another program that is likely affecting animal intake at AAC is Positive Alternatives to Shelter Surrender (PASS)⁶⁰. This program, managed by AAC and APA, serves as an informal resource for community members who are looking to either rehome their companion animal or are seeking services like veterinary care or behavioral support in order to prevent a need to surrender their animal. The program offers “individual consultation, education, troubleshooting, and financial support” for those who call the PASS help line that is listed on both AAC and APA’s website. While many of the community members who utilize PASS’ services are able to forgo surrender, the program also has the option of surrendering the animal, in which case these animals may then enter into the care of APA or indeed be surrendered to a shelter. In 2016, APA took in 734 dogs and 740 cats through PASS (Appendix E). These numbers have increased significantly since 2012, with the number of dogs taken in through PASS increasing by approximately 98 dogs per year ($P < 0.001$) and number of cats taken in through PASS increasing by approximately 80 cats per year ($P = 0.010$). This may be an indication of the willingness of community members to utilize services other than the traditional owner surrender process offered at the city’s municipal shelter. This program may also be driving the decrease in number of animals surrendered to AAC.

Outcomes

Resolution 20091105-040 includes a specific attention to live outcomes for animals that enter into the care of AAC rather than the historical practice of euthanasia

⁶⁰ <https://www.austinpetsalive.org/get-pet-help/pass/>

in times when either the shelter was at high capacity or when the animal could not be more immediately adopted out due to medical or behavioral challenges. Shelters can influence outcomes through a variety of programs that include online and social media platforms to market the animals available for adoption, utilization of transfer networks to increase total capacity to serve animals that may come into the shelter's care, and animal protection field services such as microchip identification or improved in field return to owner services. Due to the integral nature of the partnership between AAC and APA, devised during the design and implementation of the Resolution as a means to streamline the process of achieving live outcomes for Austin's sheltered animals, the two organizations' outcome data were aggregated for analysis (Figure 5).

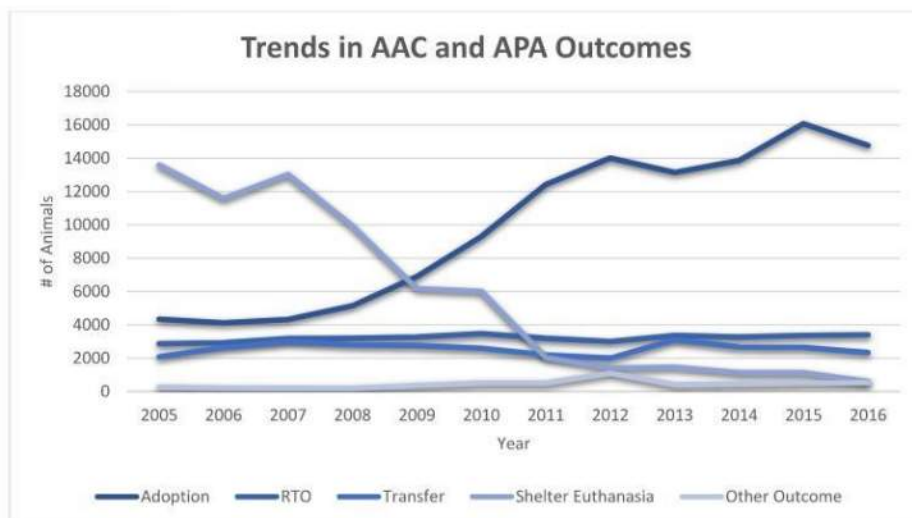


Figure 5. Annual outcomes for dogs and cats that entered into the care of AAC and APA from 2005 to 2016. Those represented as "transfers" were animals transferred to a shelter or rescue organization other than APA. The "other" category includes missing animals, those who died in care, or otherwise unaccounted-for animal outcomes. Dataset provided in Appendix F.

The primary outcome for animals in the care of AAC and APA is adoption. The overall rate of adoptions of both dogs and cats out of these organizations has increased over the study period of 2005 to 2016, even when adjusting for the growth in human population in Austin (Figure 6). There was a significant increase ($P < 0.001$) in the trend in dog adoptions from 2005 to 2016, with an average increase by 277 dogs per year. A t-test analysis comparing the number of dog adoptions from 2005 to 2009 ($M = 2,507$, $SD = 176$) to the number of dog adoptions from 2010 to 2016 ($M = 4,361$, $SD = 458$) identified a statistically significant increase ($P < 0.001$) following implementation of the Resolution. However, from 2010 to 2016 there was no significant change ($P = 0.482$) in the trend in dog adoptions, remaining constant at an average of 4,412 dogs adopted.

The pattern in adoption trends for cats is similar to that for dogs. There was an overall significant increase ($P = 0.002$) from 2005 to 2016 with an average increase of 196 cats per year, but most of this increase occurred prior to implementation of the Resolution. Like dogs, a t-test analysis comparing cat adoption numbers from 2005 to 2009 ($M = 1,913$, $SD = 184$) to those between 2010 and 2016 ($M = 3,169$, $SD = 627$) indicates that the number of cats adopted increased significantly ($P = 0.001$) following implementation of the Resolution. However, from 2010 to 2016 there was no significant change ($P = 0.443$) in cat adoptions, remaining at an average of 2,736 cats adopted per year. These findings are notable insofar as adoption is an important mediator of the capacity of a sheltering facility. An increased rate of adoption places dogs and cats in homes as pets and is a factor that determines the shelter's space to serve additional animals from the community. This increase in capacity has been correlated with a decreased rate of euthanasia⁶¹.

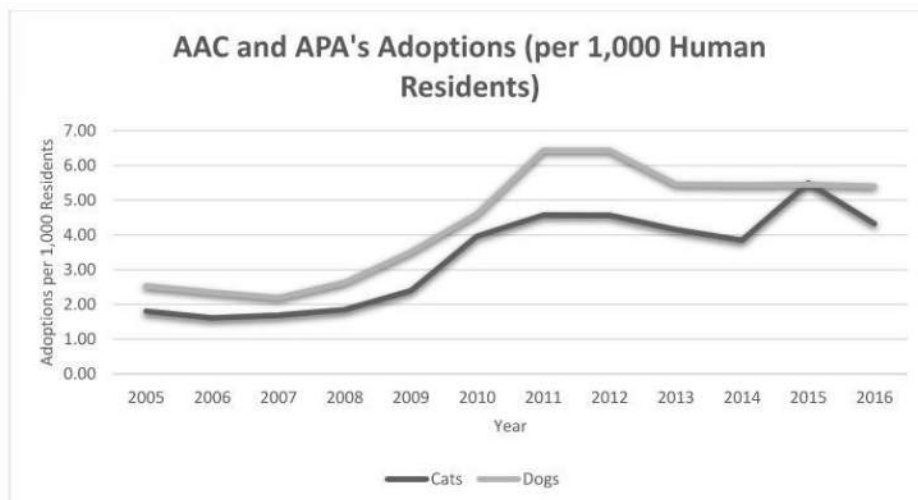


Figure 6. Rates of adoption with adjustment for the growth of the human population in Austin (shown here as number of adoptions per every 1,000 human residents of Austin). The amount of adoption, given the increase in human population, has increased since the passage of Resolution 20091105-040. Data set provided in Appendix F.

The overall increase in adoptions of dogs and cats over the study period may be a result of increased interest within the community in adopting pets, improved social awareness of the animal welfare initiatives of Austin, or improved marketing processes of the individual organizations. Some of the programs that contribute to increased adoptions were in place prior to 2010, but the coordination of these programs across AAC and APA was formally implemented following the Resolution. Therefore, the stabilization of adoption rates since the Resolution may reflect that the processes

⁶¹ Hawes, S., Camacho, B., Tedeschi, P., Morris, K. (in press). Trends in intake and outcome data for animal shelters in Colorado, 2000 to 2015 – another eight years out. *Journal of American Veterinary Medical Association*.

formalized by the legislation have been effective in sustaining the overall adoption rate despite the variety of resulting operational changes made to the organizations. It's important to note that outcome rates at AAC are heavily impacted by the transfer of animals to APA, and therefore it cannot be concluded that AAC trends in adoption alone have been sufficient to meet the requirements of the Resolution. Rather, the combined rates of adoption at both AAC and APA have supported AAC's ability to maintain a 90% LRR.

A factor that may inform the increased rates of adoption of both dogs and cats is the incidence of adoption by individuals or families who report that they reside outside of Travis County (Figures 7 and 8). By reaching potential adopters outside of the Austin or Travis County community, both AAC and APA increase the potential of finding a home for the animals in their care. Increased rates of adoption to non-Travis County zip codes may be an indicator of the success of Austin's shelters' social media and marketing campaigns, but may also be negatively impacting adoption rates from shelters in surrounding counties. While data obtained through public information requests on surrounding communities demonstrate that the increased rates of adoptions to individuals and families who reside outside of Travis County have not resulted in an impact on the intake rates of shelters in surrounding communities⁶², data could not be obtained from these surrounding counties on how the increased rate of adopters from outside of Travis County has impacted these other shelters' adoption rates.

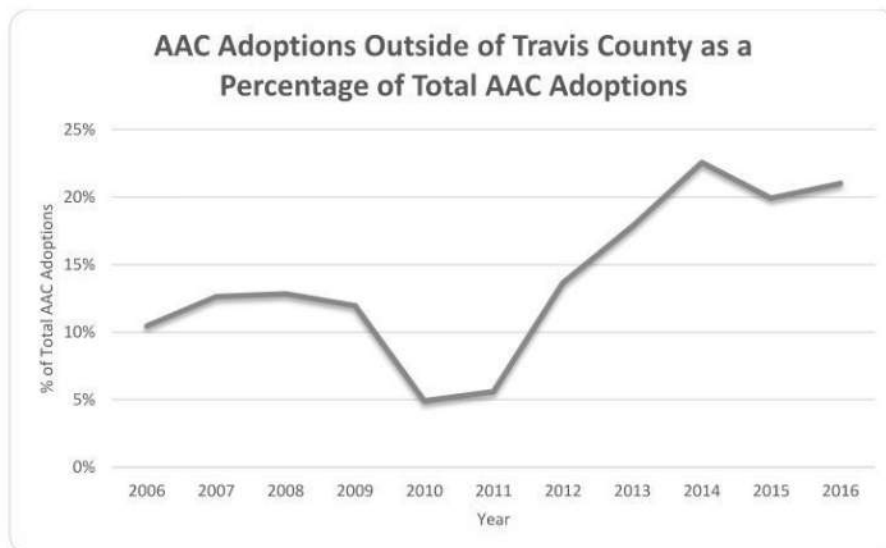


Figure 7. Annual percentages of all animals adopted out of AAC that are adopted to people who reported that they reside in a non-Travis County zip code on their adoption application.

⁶² Data obtained from the areas surrounding Travis County (San Marcos County, Bastrop County, and Williamson County) indicate that just 37 of the animals that came into their shelters between 2010 and 2016 reported an originating Travis County zip code (this is including RTO animals).

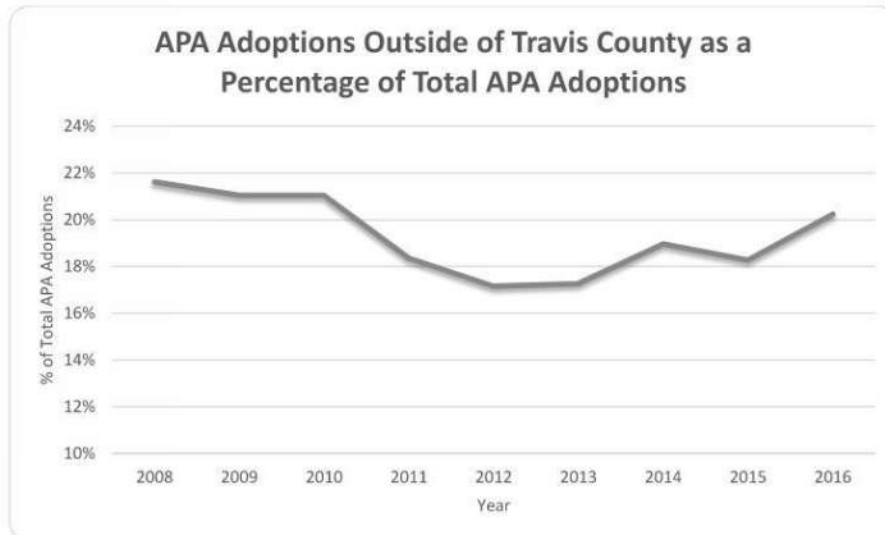


Figure 8. Annual percentages of animals adopted out of APA that are adopted to people who reported that they reside in a non-Travis County zip code on their adoption application.

Adoption rates are optimized through community engagement with the shelters and also by the effectiveness of the shelters' programs in treating any medical or behavioral challenges that may make placement in a suitable home difficult. As APA receives a majority of AAC's highest risk (of euthanasia) animals, return rates of animals adopted from APA is a potential indicator of the effectiveness of the programming provided while the animals are in the shelter's care. In 2016, APA adopted out 6,981 animals, with 819 of these animals returned (12%). Of these animals returned after adoption, there were 34 dogs (0.5%) and 55 cats (0.8%) returned for behavioral challenges that APA was aware of, and had informed the adopter of, prior to adoption. The remaining animals who had been adopted and were then returned were brought back for a variety of reasons related to a lack of goodness of fit between the animal and the adopter. This return rate, particularly the low rate of returns for an animal's existing challenges, indicates that APA does not appear to be adopting out "unsafe" animals into the community. These trends are also consistent with the literature on returned animals insofar as the animals most often returned are males, over the age of six months, and most likely to be returned due to behavioral challenges⁶³.

While Resolution 20091105-040 is often described as the "No Kill" resolution, there continue to be instances where euthanasia is practiced at both AAC and APA. While it is no longer practiced for space considerations (referred to as "killing" within the

⁶³ Mondelli, F., Prato Previde, E., Verga, M., Levi, D., Magistrelli, S., & Valsecchi, P. (2004). The bond that never developed: adoption and relinquishment of dogs in a rescue shelter. *Journal of Applied Animal Welfare Science*, 7(4), 253-266.

"No Kill" movement), certain cases of extreme medical or behavioral challenges may result in a euthanasia decision. However, as a result of high-risk (of euthanasia) animals being transferred to APA, improvements in veterinary care and behavioral support, and an increase in available resources to address challenges that previously resulted in high rates of euthanasia, the rate has decreased dramatically at AAC since the implementation of the Resolution in 2010 (Figure 9). Overall, from 2005 to 2016, the trend in dog euthanasia at AAC has significantly decreased ($P < 0.001$) by an average of 657 dogs per year, and by an average of 144 dogs per year ($P = 0.003$) since 2010. From 2005 to 2016, the trend in cat euthanasia at AAC has also significantly decreased ($P < 0.001$) by an average of 655 cats per year, with the number of cats euthanized at AAC from 2010 to 2016 significantly decreasing by an average of 114 cats per year ($P = 0.013$). A t-test analysis of dog euthanasia at AAC from 2005 to 2009 ($M = 5,409$, $SD = 1,397$) and from 2010 to 2016 ($M = 972$, $SD = 872$) indicates that dog euthanasia has decreased significantly ($P = 0.001$) since the implementation of the Resolution. A similar analysis comparing cat euthanasia numbers from 2005 to 2009 ($M = 5,446$, $SD = 1,657$) to those from 2010 to 2016 ($M = 922$, $SD = 991$) also found a statistically significant decrease ($P = 0.002$). These findings validate the effectiveness of the changes that resulted from the Resolution in continuing to decrease the number of dogs and cats euthanized each year at AAC.

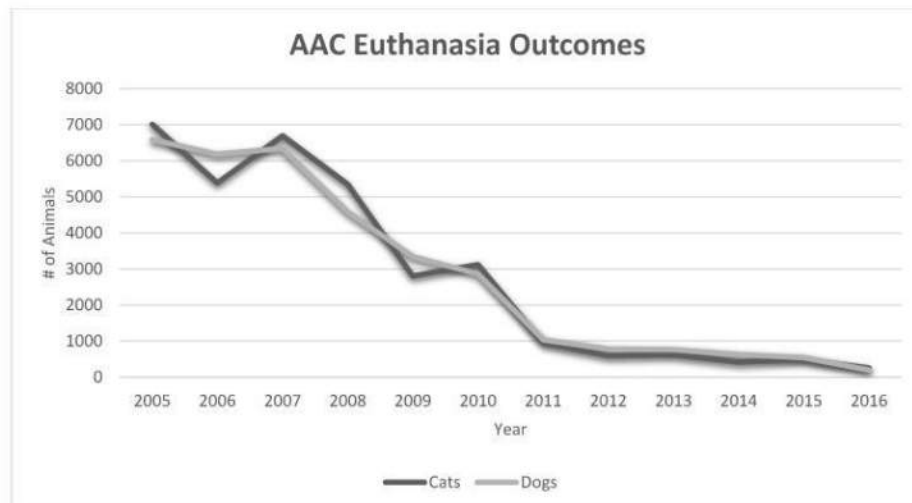


Figure 9. Annual number of animals euthanized at AAC from 2005 to 2016. Resolution 20091105-040 that included the requirement to reach a 90% LRR was implemented in 2010.

The rate of euthanasia at APA, although remaining within the 90% LRR threshold that is required of the municipal shelter, has significantly increased for dogs ($P = 0.003$) and cats ($P = 0.003$) since the implementation of Resolution 20091105-040 (Figure 10). From 2008 to 2016 the average number of dogs euthanized increased by 9 dogs per year and the average number of cats euthanized increased by 6 cats per year. This is

likely due to the specialized “at risk” population of animals that APA transfers from AAC (AAC transfers consist of 39% of APA’s intake). This illustrates an important consideration for the implementation of “No Kill” policies: LRR is a dynamic metric that is highly dependent on the health and behavior status of animals being brought in by the community and/or through transfer networks.

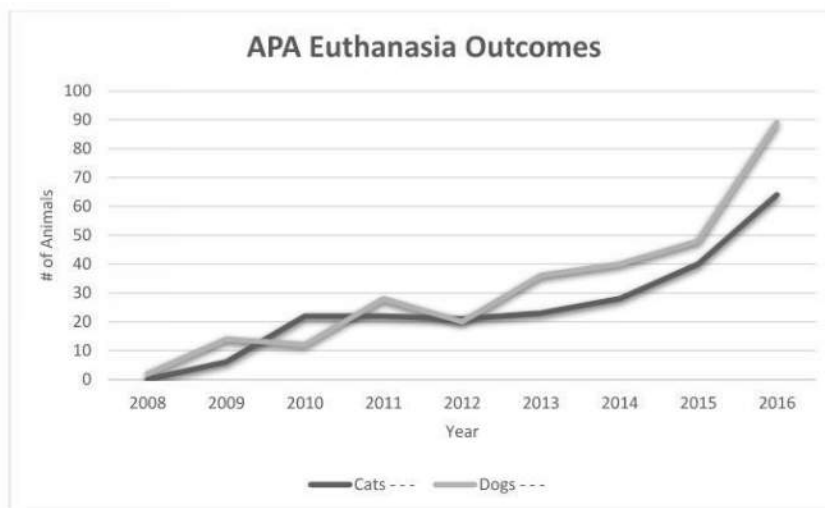


Figure 10. Annual number of animals euthanized at APA from 2005 to 2016. Note that APA was reorganized as a rescue organization in 2008.

Transfer Partnerships

Sheltering networks are emerging as an increasingly important factor informing the effectiveness of animal welfare organizations, insofar as a robust network can provide opportunities to create or expand an individual organization’s capacity to deliver services, increase access to information, and provide a foundation upon which to address issues that affect entire communities^{64,65}. One component of shelter operations utilized by AAC that has greatly increased its capacity to serve their community’s animals is the utilization of organizational partnerships and community members to house animals and/or provide specialized programming. These partnerships optimize AAC’s capacity by permitting the transfer of animals to another facility or home either during low kenneling capacity periods or when there is an animal with especially high need that another organization (such as APA or a foster family) may be more successful in addressing. Furthermore, transfer partnerships allow shelters and rescues that experience intake levels that exceed capacity to find open space for excess dogs and cats at partner facilities instead of euthanizing animals to stay at or below maximum

⁶⁴ Reese, L.A., Ye, M. (2017). Minding the gap: networks of animal welfare service provision. *American Review of Public Administration*, 47 (5), 503-519.

⁶⁵ AHeinz57. Retrieved from: <https://www.aheinz57.com/no-kill-vs-traditional-shelters/>

capacity⁶⁶. This practice may result in improved resource allocation within each shelter as well as improved effectiveness of programming as shelters are able to “specialize” in a population.

Following the implementation of the Resolution 20091105-040, AAC and APA entered into a formal license agreement that specifically governs the selection of the animals at AAC that will be transferred to APA. Under this agreement, animals coded as “at risk” (for euthanasia) are the animals that must be transferred to APA first in the event AAC reaches its capacity, whereas a secondary code of “attention” is used for those animals that will eventually be transferred due to the animals’ increased need for behavior or medical attention. Operationally, the “at risk” and “attention” lists are emailed to APA daily - animals on the “at risk” list are pulled steadily and those on the “attention” list are pulled as fast as possible. Beyond this coding system that supports AAC’s kennel capacity decision-making, APA regularly conducts “space” pulls when they have additional capacity at their facility.

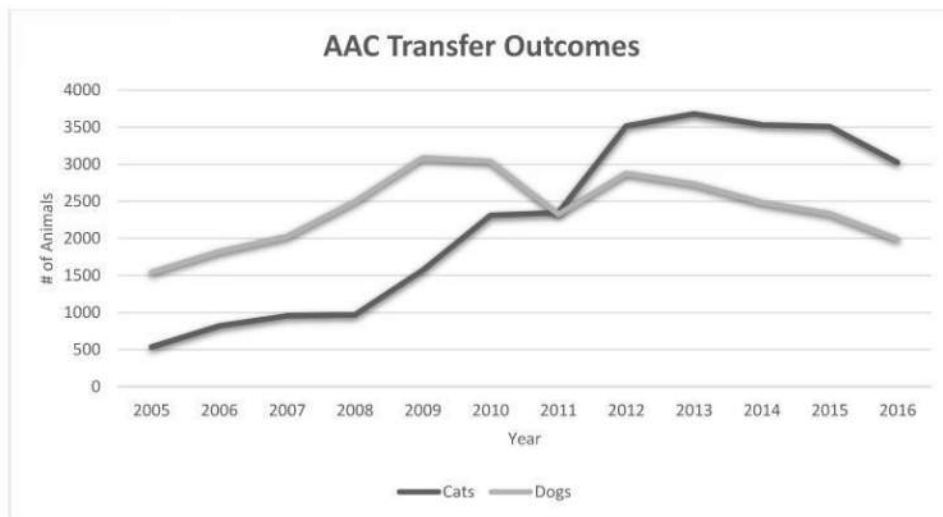


Figure 11. Annual number of animals at AAC that were transferred to another shelter or rescue organization (including APA, AHS, and all other shelter or rescue partners of AAC) between 2005 and 2016.

Over the entire study period (2005-2016), the trend in the number of dogs transferred by AAC to any of its transfer partners has significantly decreased ($P = 0.013$), with an average decrease of 129 dogs transferred per year (Figure 11). Within these data, the transfer of dogs to APA has remained relatively consistent since the formal agreement with APA was established at an average of 1,341 dogs transferred per year since 2008 ($P = 0.903$). However, transfer of dogs to organizations other than APA has significantly decreased ($P = 0.006$) by an average of 125 dogs transferred each

⁶⁶ Hawes, S., Camacho, B., Tedeschi, P., Morris, K. (in press). Trends in intake and outcome data for animal shelters in Colorado, 2000 to 2015 – another eight years out. *Journal of American Veterinary Medical Association*.

year. A t-test analysis of dogs transferred to organizations other than APA also indicates that dogs transferred from 2005 to 2009 ($M = 1,832$, $SD = 179$) and dogs transferred from 2010 to 2016 ($M = 1,197$, $SD = 274$) decreased significantly ($P=0.001$). In contrast to dogs, the number of cats transferred from AAC to any of its transfer partners during the entire study period (2005-2016) has significantly increased ($P= 0.033$) at an average increase of 236 cats transferred per year. Similar to dogs, the number of cats transferred out of AAC to APA has remained relatively consistent at 1,239 cats transferred to APA each year ($P = 0.201$). However, cats transferred from AAC to organizations other than APA increased significantly from 2005 to 2010 at 69 cats per year ($P = 0.026$) but did not change from 2008 to 2016 at 633 cats per year ($P = 0.052$). Overall, these trends for both dogs and cats indicate that the transfer partnerships needed to remain in compliance with the Resolution were in place prior to 2010, and that implementing the Resolution required AAC to continue the number of transfers to both APA and other shelters or rescue partners.

Foster networks formed within the communities are another partnership that can result in improved outcomes for shelters. In addition to rates of adoption and transfer partners, an expanded network for foster care was needed to increase AAC and APA's capacity to serve the additional animals resulting from the Resolution, especially those who require extended lengths of stay. The number of fosters a shelter utilizes may also be an indicator of community investment in the work of the shelter. At any time, 35-60% of AAC's animals may be in a foster placement, whereas about 50% of the animals in APA's care are likely to be in foster care. This is accomplished by a network of almost 3,000 foster homes registered under the two organizations. Community-based sheltering is a growing area of animal welfare insofar as home placements may result in improved health and behavior outcomes for sheltered animals rather than extended stays in shelter facilities that are correlated with high rates of stress⁶⁷. More research is needed in this area to understand the impacts of community-based sheltering and foster networks on the effectiveness of animal welfare outcomes.

Assessment of Live Outcomes

There are a variety of metrics that can be used to evaluate shelter operations on their ability to provide live outcomes for animals in their care. LRR is the primary metric utilized by shelters to assess and compare their operations. While Resolution 20091105-040 identified a 90% LRR as a measure of success for improving companion animal welfare in the city of Austin, the formula used to calculate LRR still varies across the animal welfare industry. To date, there are two primary definitions for LRR that can demonstrate the effectiveness of a shelter's operations over a given year from slightly different perspectives.

The first LRR definition, referred to as the ASPCA LRR Calculation,⁶⁸ is a useful measure for understanding the ways in which the trends in intake over the reporting year impacted the resources available for life-saving programs. The ASPCA LRR Calculation is the number of adoptions plus the number of returns to owner (RTO) plus the number of animals transferred out to other organizations divided by the total intake

⁶⁷ Coppola, C., Grandin, T., Enns, R.M. (2006) Human interaction and cortisol: can human contact reduce stress for shelter dogs? *Journal of Physiology and Behavior*. 87. 537-541.

⁶⁸ http://www.aspcapro.org/sites/pro/files/What%20is%20your%20Rate%2010_2013.pdf

for that year. In 2016, AAC reported having adopted 7,789 animals, transferred out 5,017 animals, and returned 3,388 animals to their owner. With an intake of 16,820 animals, their LRR for 2016 under the ASPCA definition was 96%. In 2016, APA reported having adopted 6,981 animals, transferred 0 animals out, and returned 10 animals to their owner. With an intake of 7,344 animals, their LRR for 2016 under the ASPCA definition was 95%. The ASPCA LRR calculation is an important metric in that it provides an indication of how the management of AAC's intake has supported the organization in meeting the 90% LRR goal described under the Resolution. The decreasing trends in overall intake seen at AAC has supported AAC's attainment of the 90% LRR under the ASPCA definition.

The second LRR definition, referred to as the Asilomar LRR Calculation⁶⁹, is a useful measure for understanding the rate of live outcomes irrespective of the intake of the shelter that year. The Asilomar LRR Calculation is the number of adoptions plus the number of RTOs plus the number of animals transferred out divided by the total outcomes for that year. In 2016, AAC reported 16,194 live outcomes (adoption, transfer, RTO) and 16,812 total outcomes, meaning their LRR for 2016 under the Asilomar definition was 96%. In 2016, APA reported 7,802 live outcomes (adoption, transfer, RTO) out of a total of 7,955 outcomes, yielding a 98% LRR for 2016 under the Asilomar definition. The Resolution's emphasis on live outcomes has driven increases in LRR specifically under this Asilomar definition. By placing a moratorium on euthanasia and establishing the formal partnership between AAC and APA, Resolution 20091105-040 created the pathway through which outcomes for animals sheltered in Austin would greatly improve under this definition.

There are a number of limitations to utilizing LRR as the sole metric for success in animal welfare. For example, the length of stay of an animal is an important consideration that is not captured within these definitions of LRR. Extended lengths of stay for animals in shelters is a matter of contention in the animal welfare industry for several reasons. Shelters are high-stress environments for companion animals, and therefore, an increased length of stay may be correlated with a decreased quality of life^{70,71,72,73,74}. With the implementation of Resolution 20091105-040 and its moratorium placed on euthanasia, many animals that would have previously been euthanized are now remaining under shelter care until they are adopted.

APA's data on length of stay indicate that most animals are in the organization's care within the range of 0-180 days (64% of the random sample of 145 animals at APA in 2016) (Figure 12). While most of these animals spend time in the kennel environment of APA at some point during their stay, most animals are housed through a combination of on-site kennel time and off-site foster time in the broad network of 2,900 volunteer

⁶⁹ http://www.aspcapro.org/sites/pro/files/What%20is%20your%20Rate%202010_2013.pdf

⁷⁰ Hennessy, M.B., Larons, M.E., Williams, M.T., Mellott, C., Douglas, C.W. (1997). Plasma cortisol levels of dogs at a county animal shelter. *Physiology and Behavior*. 62. 485-490.

⁷¹ Protopopova, A. (2016). Effects of sheltering on physiology, immune function, behavior, and the welfare of dogs. *Physiology and Behavior* (159). 95-103.

⁷² Bannasch, M.J., Foley, J.E. (2005). Epidemiologic evaluation of multiple respiratory pathogens in cats in animal shelters. *Journal of Feline Medicine and Surgery* (7), 109-119.

⁷³ Dinnage, J.D., Scarlett, J.M., Richards, J.R. (2009). Descriptive epidemiology of feline upper respiratory tract disease in an animal shelter. *Journal of Feline Medicine and Surgery* (11). 816-825.

⁷⁴ Pedersen, N.C., Sato, R., Foley, J.E., Poland, A.M. (2004). Common virus infections in cats, before and after being placed in shelters, with emphasis on feline enteric coronavirus. *Journal of Feline Medicine and Surgery* (6). 83-8.

foster homes that are shared between AAC and APA. The purpose of this foster model is to alleviate the stress caused by housing under shelter conditions and to provide more focused opportunities to address any medical or behavioral challenges the animal may present. When these animals are not housed in a foster network, they may be kennelled on-site at APA where they receive regular walks, participation in supervised playgroups, and behavioral training.

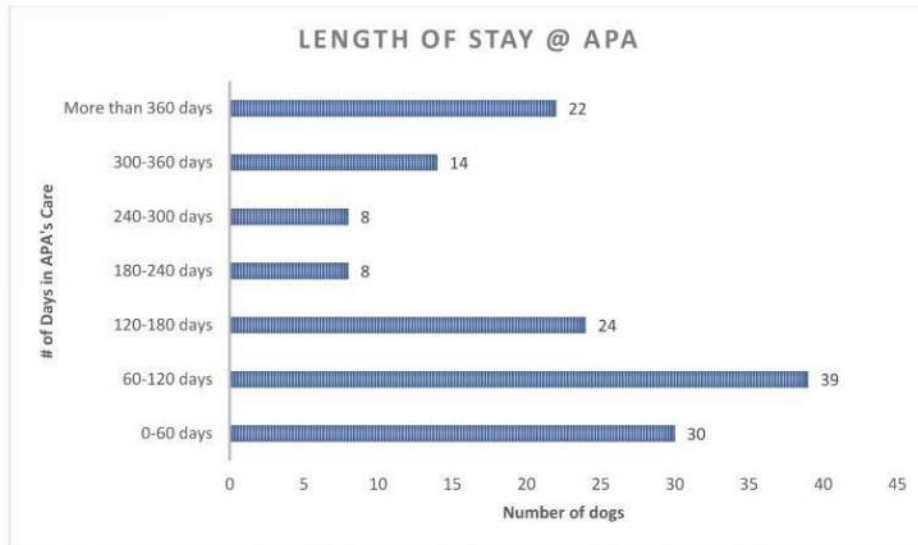


Figure 12. Length of stay for a random sample of 145 dogs in APA's care in 2016, categorized within 60-day ranges. 64% (93 out of 145) of dogs in APA's care in 2016 were there for less than 180 days. Dogs may have completed their stays through a combination of being both on-site at APA and off-site in foster care. Data on the random sample of 145 dogs were obtained from APA's ShelterLuv database.

The second issue associated with length of stay is the *per diem* cost for sheltering an animal. While it is important to acknowledge that not all shelters that house animals for an extended length of stay are providing an increased amount of resources to these animals, at APA, animals with longer lengths of stay are often being treated for costly medical and/or behavioral issues that add substantial cost beyond the *per diem* costs (increased spending on animals is discussed in more detail in the City Governance section). This treatment and the period of times these animals are unavailable for adoption while they are rehabilitated, are a significant "hidden cost" that should be accounted for within the decision to place a moratorium on euthanasia of these high-resource animals (Figure 13). Due to the potential cost and/or the ethical concern around the potential for sufficient additional resources not being directed towards maintaining these animals in a manner that ensures a high quality of life, the housing of animals who may require extended periods of care before being adopted is a matter of contention among animal welfare leadership.

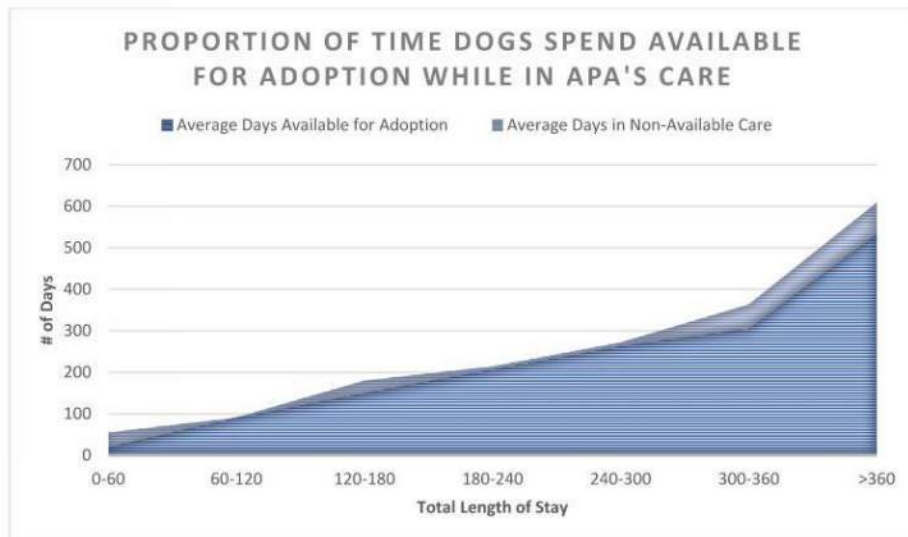


Figure 13. Average number of days a dog (within the random sample of 145 dogs in APA's care in 2016) spent available for adoption versus not available for adoption during their entire length of stay. There were 8 dogs (in the random sample of 145 dogs) who were never available for adoption in 2016. Their average length of stay was 315 days. Data on the random sample of 145 dogs were obtained from APA's ShelterLuv database. Data provided in Appendix G.

At APA, animals who are housed for any period of time are provided additional enrichment, as outlined in the implementation plan⁷⁵. As of July 2017, APA had 51 "long stay" dogs (dogs who had been at APA longer than 300 days), with the average number of days these dogs had been in APA's care being 502 days in 2017 (compared to 557 days and 531 days in 2015 and 2016, respectively). APA reports that 19 of the long-stay dogs are in long-term foster care (the others rotate in and out of foster care and time spent in the shelter). To date in 2017, APA has adopted out an average of 9 long-stay dogs per month compared to 6 per month in 2015 and 2016⁷⁶. These data indicate that at least some of these dogs who may have previously been euthanized had they been placed in the care of AAC prior to the Resolution can find new homes, given the appropriate level of resources from the shelter and the capacity of the community to adopt additional animals. Ultimately, quality of life is one of those impacts that could be considered of higher value than any incremental increase in rate of adoption or overall LRR. Therefore, additional data are needed on the health and behavior of these extended "long-stay" animals to appropriately assess the in-shelter animal health and welfare-related impacts of the Resolution.

⁷⁵ <http://www.ci.austin.tx.us/edims/document.cfm?id=131732>

⁷⁶ www.facebook.com/apalongstaydogs/

Across the variety of mechanisms that inform shelter operations, data-driven decision-making and inter-organizational collaboration are important drivers of the substantial improvements in shelter outcomes across animal sheltering systems. Decreases in total intake and increases in rate of transfer from AAC to APA have been important factors that have supported AAC's compliance with the 90% LRR goal of the Resolution. However, while LRR is an important metric to use in evaluating a shelter's operations, the balance between a community's animal welfare goals and its tolerance for issues such as increased resource allocation (i.e. *per diem* cost per animal) and length of stay is both an ethical and a practical discussion that must be held on a community-wide basis.

Impacts on City of Austin Community

Austin Animal Services Budget

The implementation of Resolution 20091105-040 involved increases in tax-related expenditures to cover AAC's increased operational needs (Figures 14-15). While still representing less than 0.5% of the total City of Austin budget, the annual budget for the municipal shelter more than doubled between 2009 and 2016 to \$12 million. This increase is largely attributable to the increased number of full-time employees at AAC and across Austin Animal Services (Figure 16).

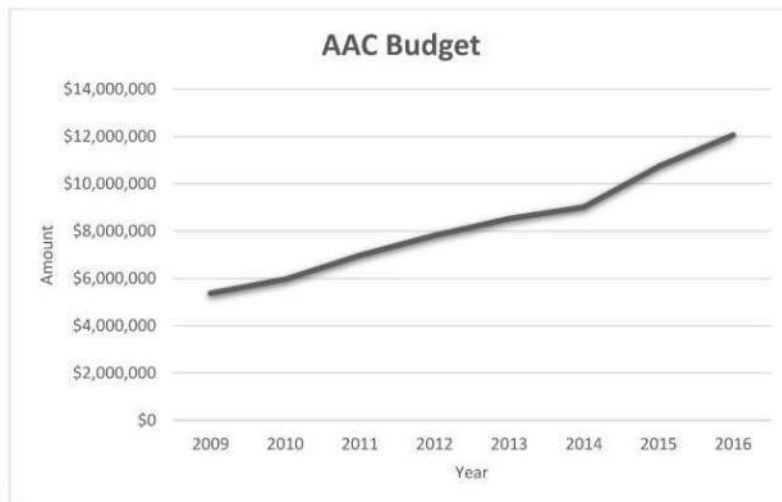


Figure 14. Annual AAC budget from 2009-2016.

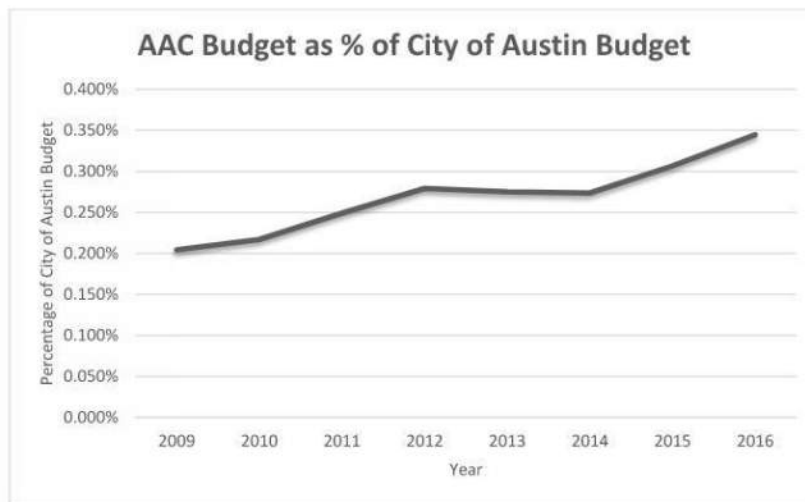


Figure 15. AAC budget as a percentage of the City of Austin budget from 2009 to 2016.

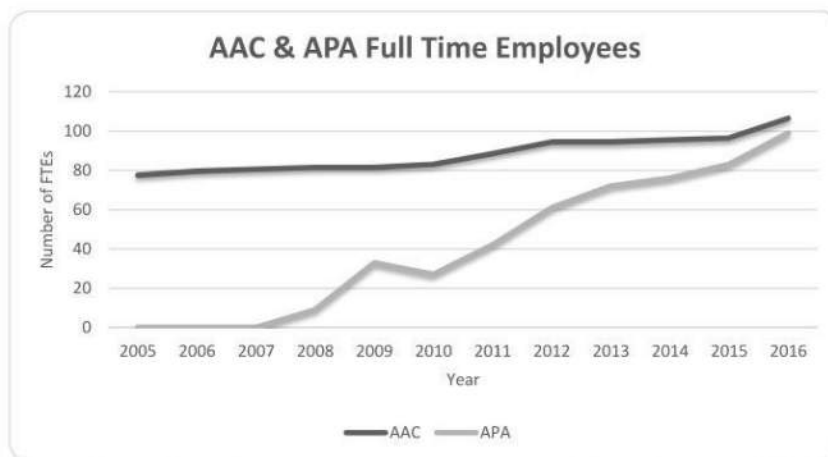


Figure 16. Full-time employment increases following Resolution 20091105-040.

The additional costs per animal taken in by AAC required to implement Resolution 20091105-040 – referred to here as the “No Kill Premium” – was estimated using two approaches. First, the average cost per animal that was taken into the municipal shelter was calculated for each year between 2005 and 2016 (the “before/after” method) (Appendix H). The 2005-2009 average cost per intake was then subtracted from the 2010-2016 average to calculate the increase in average cost per intake since the implementation of the Resolution (the “premium”). This resulted in the first estimation of the “No Kill Premium” at \$265 per animal, which ultimately translates

into a total additional cost of \$34 million when multiplied by the total intake of 128,325 animals cared for by AAC following the implementation of Resolution 20091105-040.

In the second approach to estimate the cost of the Resolution within the municipal budget, AAC's cost per intake in 2016 was calculated by dividing AAC's budget by the total intake during that year (the "cross-sectional" method). In 2016, AAC spent an average of \$715 per animal that came into the shelter. Note that this contrasts with the calculated average spending of \$278 per animal on average in 2009, prior to the implementation of the Resolution. The 2016 average was then compared to the average cost per animal in five other major U.S. cities (Chicago, IL; Los Angeles, CA; Miami, FL; Dallas, TX; and Denver, CO⁷⁷). The average cost per animal in 2016 for those housed in the municipal facility of these five major cities was \$507 (Table 2). The \$208 difference in AAC's 2016 cost per intake compared to these other cities represents a second calculation of the "No Kill Premium", and translates into a total additional cost of \$26.7 million when multiplied by the total intake of 128,325 animals cared for by AAC since the Resolution.

The average of the two "No Kill Premium" calculations is \$237 per intake, which translates into a total additional cost of \$30.4 million within the city budget for implementing the Resolution between 2010 and 2016⁷⁸. This represents an average of \$4.3 million per year in the municipal budget. Note that even if the entire \$187.8 million in positive economic impact calculated below resulted in revenue through the city sales tax, less than 10% of the "No Kill Premium" expenditure would directly return to the City of Austin⁷⁹. This level of increased cost per animal is in contrast to previous arguments that articulate "No Kill" shelter management as a "low-cost" or "cost-effective" approach⁸⁰. Furthermore, more data is needed to understand the relationship between increasing the cost per animal and objective measures of sheltered animals' quality of life.

⁷⁷ These cities were selected based on the criteria of 1) access to the city's Animal Services budget, and 2) publicly available intake and outcome numbers for the municipal shelter run under that Animal Services budget. These cities do not have legislation that specifically governs their municipal shelter operations in terms of LRR.

⁷⁸ While the range from \$265 to \$208/intake is presented here, the \$237/intake premium is suggested as the best possible conservative estimation of the additional cost per animal accrued when operating under the parameters set by the "No Kill" Resolution insofar as it accounts for the increasing average cost over the entire study period from 2005-2016 in Austin and includes consideration of the average cost allocated for sheltering in five major U.S. cities in 2016.

⁷⁹ <https://comptroller.texas.gov/taxes/sales/city.php>

⁸⁰ <http://www.nathanwinograd.com/no-kill-quick-facts/>

City	Year	Annual Budget	Animal Intake	Cost/Intake
Austin ⁸¹	2016	\$12,061,551	16,858	\$715
Chicago ^{82,83}	2016	\$5,590,000	13,653	\$409
LA ^{84, 85}	2016-17	\$23,982,367	45,607	\$526
Miami (Miami Dade) ⁸⁶	2016-17	\$21,067,000	31,000	\$680
Dallas ⁸⁷	2016	\$10,200,000	30,000	\$340
Denver ⁸⁸	2016	\$3,936,655	7,500	\$525
Estimated Average Spend Per Intake: Rest of the Cities				\$507
Estimated Austin Resolution 20091105-040 Related Spend Per Intake				\$208

Table 2. Comparison of annual animal shelter budgets and cost per animal for Austin, Texas and five other U.S. cities.

Shelter Operations

As discussed in the Methodology section, the economic impacts from AAC and APA's Resolution-related operations (3.9% and 100% of total, respectively) occur in three distinct areas. Each of these economic impacts was calculated using standard microeconomic and macroeconomic models. Together the three areas result in a total economic impact per additional animal "saved" since the Resolution. First, the additional staffing, payroll, and operations of AAC following the Resolution represent new economic activity in the region (the direct effect of the Resolution). From 2010-2016, the impact of the direct effect of shelter operations attributable to Resolution 20091105-040 was \$22 million. Second, the increase in shelter operations also required purchases of materials and services from regional suppliers (the indirect effect of the Resolution). From 2010-2016, the impact of the indirect effect of shelter operations attributable to Resolution 20091105-040 was \$6.7 million. Third, shelter operations require labor services providing household income, a portion of which will be spent in the local economy, offering additional economic impacts (the induced effect of the Resolution). From 2010-2016, the impact of the induced effect of shelter operations attributable to Resolution 20091105-040 was \$12.2 million. Therefore, the total calculated economic impact of AAC and APA operations from 2010-2016 attributable to Resolution 20091105-040 was \$41 million (Table 3).

⁸¹ AAC Budget

⁸² <http://www.chicagotribune.com/news/local/breaking/ct-no-kill-city-animal-shelters-met-20160401-story.html>

⁸³ https://www.cityofchicago.org/content/dam/city/depts/cacc/PDFFiles/OldPDFs/2016_Annual_Stats.pdf

⁸⁴ http://cao.lacity.org/budget16-17/2016-17Budget_Summary.pdf

⁸⁵ <http://www.laanimalservices.com/pdf/reports/CatNDogIntakeNOutcomes.pdf>

⁸⁶ <https://www.miamidade.gov/budget/FY2016-17/proposed/library/animal-services.pdf>

⁸⁷ Boston Consulting Group DAS Report and <https://www.dallasnews.com/news/news/2016/03/24/dallas-animal-services-saved-more-pets-than-it-euthanized-last-year>

⁸⁸ https://www.denvergov.org/content/dam/denvergov/Portals/344/documents/Budget/2016/Mayors_2016_Budget.pdf

	Labor Income ⁸⁹	Value Added ⁹⁰	Output ⁹¹
Direct Effect	\$16,214,641	\$16,214,641	\$22,045,868
Indirect Effect	\$2,129,594	\$3,790,903	\$6,683,198
Induced Effect	\$4,215,656	\$7,300,235	\$12,209,499
TOTAL	\$22,559,891	\$27,305,779	\$40,938,565

Table 3. Economic outputs from IMPLAN modeling for direct, indirect, and induced effects of AAC & APA operations from 2010 to 2016. An annual breakdown of these calculations is available in Appendix I.

Veterinary Care and Pet Services

While Texas ranks 21st among other states in terms of pet-keeping rates⁹², Austin's pet-keeping ranks 3rd among the 25 Metropolitan Statistical Areas in the nation (as of 2013)⁹³. This higher ownership rate is reflected in economic variables such as pet-related expenditures. For example, with increased pet-keeping, there is an increase in pet-care related expenditures such as dog-walking, grooming, or boarding. According to an American Pet Products Association study, overall, each animal in the community represents a \$12,357 contribution to the local economy over its lifetime in the form of retail, veterinary, and other pet-care related services⁹⁴. To capture the amount of economic impact that can be associated with Resolution 20091105-040, pet-related expenditures in Travis County were compared to the rest of Texas. The Resolution was an important driver of the rate of pet-keeping in Austin, however it is acknowledged that some of the animals in Austin would have been acquired before the Resolution and/or through means other than adoptions from AAC or APA. While animals acquired through other methods would also accrue similar economic benefits, the following calculations represent an attempt to capture the peripheral economic benefits of each additional animal that has been adopted since the Resolution.

Using County Business Patterns Surveys (CBP) conducted from 2005 through 2015, data were collected for three pet related industries: (a) pet and pet supplies stores (NAICS-453910)⁹⁵, (b) veterinary services (NAICS-541940), and (c) pet care (except veterinary) services ((NAICS 812910), in both Travis County and Texas. While annual payroll by industry was available annually, sales data were only available for 2007 and 2012 for these industries in Travis County and Texas. Using 2007 and 2012 sales to annual payroll ratios, annual sales by veterinary services and other pet care services

⁸⁹ Within IMPLAN analysis, labor income is defined as all forms of employment income, including employee compensation (wages and benefits) and proprietor income. For the purposes of the analysis in the following table, there was no proprietor income calculated because it is not applicable for government and non-profit entities.

⁹⁰ Value added was defined as the difference between the industry's total output and the cost of its intermediate inputs.

⁹¹ Net output represents the value of the industry's production, which are calculated within the IMPLAN software from annual production estimates.

⁹² <https://www.avma.org/KB/Resources/Statistics/Pages/Market-research-statistics-US-pet-ownership.aspx>

⁹³ https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=AHS_2013_S06AO&prodType

⁹⁴ American Pet Products Association Study - retrieved from Dallas Animal Shelter presentation. July 17, 2015

⁹⁵ This item excluded from the calculations since this is an industry allowing for online orders (increasingly) which could have biased the results (portion of sales by shipping area unknown)

were first estimated from 2005 to 2016⁹⁶. Next, the estimated sales were normalized by population to capture per capita sales (as a proxy for per capita expenditures) in these two industries, so that population growth differences could be accounted for (Figure 17).

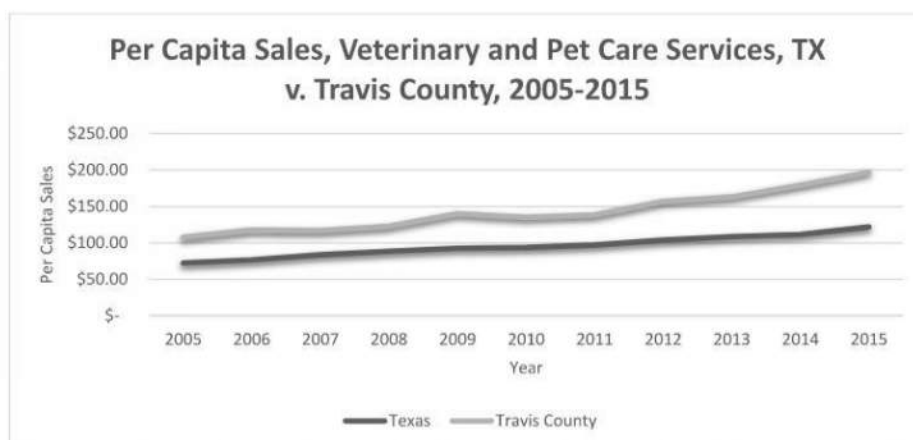


Figure 17. Per capita veterinary and pet care services spending in Texas versus Travis County

Year	Veterinary and Pet Care Services - Per Capita Sales		Veterinary and Pet Care Services - Year to Year Annual Growth ⁹⁷	
	Texas	Travis County	Texas	Travis County
2005	\$72.3	\$107.6	n/a	n/a
2006	\$76.6	\$117.5	6%	9%
2007	\$83.7	\$116.7	9%	-1%
2008	\$88.2	\$122.9	5%	5%
2009	\$92.6	\$140.1	5%	14%
2010	\$93.7	\$135.1	1%	-4%
2011	\$97.2	\$138.3	4%	2%
2012	\$103.9	\$156.7	7%	13%
2013	\$108.3	\$162.7	4%	4%
2014	\$111.5	\$179.0	3%	10%
2015	\$121.8	\$196.5	9%	10%

Table 4. Estimated sales normalized by population to capture per capita sales (as a proxy for per capita expenditures) in the veterinary services and pet care services industries.

⁹⁶ Sales and annual payroll for 2016 were extrapolated, as CBP has only been measured through 2015 at the time of this study.

⁹⁷ Despite limited sample size, a t-test for the post-2010 growth rates in Texas vs Travis County resulted in a p-value of 0.33, i.e. the probability that the post 2010 growth rates are not statistically different from each other.

As the next step in estimating the increased use of veterinary and pet care services, pre-2010 average per capita spending levels were calculated and compared to post-2010 average per capita spending levels both in Travis County and state-wide in Texas, in order to capture the overall trends in per capita spending in each average per capita spending increased by 33.4% in Travis County while it only increased by 28.2% statewide (Table 4). In order to control for any potential national and state specific factors that could have caused the observed increase in per capita spending levels in Travis County, the percentage increase of post-Resolution versus pre-Resolution spending levels (i.e. 28.2%) was used to re-calculate how much the pre-capita spending (the “but-for” level) would have increased in Texas if it only increased at a rate parallel to the rest of the state (Table 5). The but-for per-capita spending level (\$155.10) was then subtracted from the observed post-2010 average (\$161.39) to calculate the annual surplus per capita spending that occurred in Travis County that could be attributed to Resolution 20091105-040 (\$6.29). The total surplus spending on veterinary and other pet care services from 2010 through 2016 was then calculated to be \$49.3 million by multiplying the per capita surplus spending (\$6.29) by the annual Travis County population levels. Lastly, the total surplus per capita annual spending (\$6.29) is calculated to be 3.9% of the overall \$161.39 per capita annual spending in Travis County, during 2010-2016. In other words, the estimated relative impact of Resolution 20091105-040 on Travis County’s per capita spending on veterinary and pet care services is 3.9%.

Veterinary and Pet Care Services	Texas	Travis County
Avg. pre-2010 per capita spending	\$82.69	\$120.95
Avg. post-2010 per capita spending	\$106.03	\$161.39
Growth % of avg. post-2010 to pre-2010 spending	28.2%	33.4%
Avg. but-for post-2010 per capita spending	n/a	\$155.10
Avg. annual surplus per capita spending	n/a	\$6.29
2010-2016 Total Surplus Spending	n/a	\$49,300,160
% of Surplus Spending in Travis County, 2010-2016	n/a	3.9%

Table 5. Estimation of the percentage of veterinary and pet care services spending attributable to Resolution 20091105-040.

Pet Retail

The type of pet related expenses that are not captured by veterinary and other pet care services were also estimated (Table 6). Those expenses are categorized into food, treats, and toys. Since expenditures for consumables (food, treats, and toys) were not reported by CBP data, the surplus Travis County expenditures for these items were estimated using the annual breakdown of pet related expenditures obtained from the American Pet Products Association Study (Appendix J). On average, annual expenditures for food, treats, and toys are 34% of total pet related expenditures, whereas the remaining 66% are within the previously estimated veterinary and other pet care expenses (Table 6). Note that the initial point for this estimation is the \$49.3 million as discussed in Table 5 above, which was already scaled down to only represent

Resolution-related expenditures in Travis County. Using the ratio of each expense group to each other, \$25.3 million in food, toy, and treat related surplus spending was estimated in Travis County when compared to the rest of Texas. It was estimated that per capita pet related expenditures have been growing faster than the rest of the Texas since 2010.

Average Annual Spent Per Animal								
Pets	Veterinary and Other Pet Care Expenses			Food and Toys Related Expenses			Veterinary and Pet Care - % of Pet-Related Total Spend	Pet-Related Retail - % of Total Pet-Related Spend
	Vet Care	Grooming	Boarding/ Pet-sitting	Food	Treats	Toys		
Cats	\$193	\$20	\$337	\$203	\$36	\$23	68%	32%
Dogs	\$239	\$61	\$327	\$231	\$65	\$41	65%	35%
Total	\$432	\$81	\$664	\$434	\$101	\$64	66%	34%
Estimated Resolution 20091105-040 Related Expenditures, Travis County 2010-2016							\$49,300,160	\$25,333,237

Table 6. The veterinary services, pet care services, and pet-related retail spending in Travis County attributable to Resolution 20091105-040 from 2010-2016.

City of Austin Brand Equity

Beyond the direct economic impacts of the shelter operations and the more indirect impacts on the city budget, the Resolution may have also indirectly impacted the city of Austin's brand equity. City branding is emerging as an internationally recognized research domain that is characterized by a "high degree of interdisciplinary collaboration and an evolving theoretical foundation."⁹⁸ The importance of city branding in the context of City of Austin's Resolution 20091105-040 is emphasized by the fact that "almost 64% of college-educated 25- to 34-year-olds said they looked for a job only after they'd chosen the city where they wanted to live."⁹⁹ The Humane City signals social awareness to a key labor demographic (the young, mobile, highly-educated, and innovative professional) and could serve as a catalyst for economic and public health improvements. Google Tower, located at 500 West 2nd Street in downtown Austin, is an example of how a Humane City may contribute to the overall brand equity of a city and therefore its ability to attract the millennial workforce¹⁰⁰. When interviewed on the decision to build in Austin, a Google representative was quoted as saying, the city was "attractive to company executives because it is attractive to a young, vibrant, pet-loving workforce." In other words, creating a pet friendly environment can affect a city's ability to attract new residents.

⁹⁸ Lucarelli, Andrea, and Per Olof Berg. "City branding: a state-of-the-art review of the research domain." *Journal of place management and development* 4.1 (2011): 9-27.

⁹⁹ <https://hbr.org/2010/05/back-to-the-city>

¹⁰⁰ <http://www.512tech.com/technology/google-new-downtown-tower-home-reaches-full-height/Bn3D2bznoskEVKh2hpAuaL/>

This observation is further supported by the data obtained by Google trends service¹⁰¹. The following three search terms on Google were analyzed over the last five years in the U.S.: “moving companies”, “pet friendly” and “apartments for rent” (Figure 18)¹⁰². The seasonal characteristics of the search frequencies for all three series highly correlate (Table 7), which indicate the importance of pet friendly environment for moving decisions of residents, and therefore, its relevance to a city’s long-term ability to be economically successful.



Figure 18. Google trends for 'Moving Companies', 'Pet Friendly', and 'Apartments for Rent' from 2012-2017

Search Term Correlation Matrix	<i>Moving companies:</i>	<i>Pet friendly:</i>	<i>Apartments for rent:</i>
<i>Moving companies:</i>	100%		
<i>Pet friendly:</i>	77%	100%	
<i>Apartments for rent:</i>	72%	77%	100%

Table 7. Google Search Term Trends Correlation matrix

Since 2010, Travis County’s population has increased by 17.1%¹⁰³. This may be indicative, at least in some form, of the brand equity afforded the city as a result of Resolution 20091105-040 and other policies in Austin that contribute to it as a Humane City. These Google trends analyses on new resident priorities are supported through Austin’s higher than average rate of available pet-friendly rental housing. On average,

¹⁰¹ <https://trends.google.com/trends/>

¹⁰² <https://trends.google.com/trends/explore?date=today%205-y&geo=US&q=apartments%20for%20rent,pet%20friendly,moving%20companies>

¹⁰³ <https://www.census.gov/quickfacts/fact/table/traviscountytexas,austincitytexas/PST045216>

46% of available Austin rentals report being pet-friendly. This is higher than two of four other major U.S. cities (Nashville, TN; Raleigh, NC) that were analyzed for trends in pet-friendly rental properties (Figure 19). This is relevant insofar as it underscores the point that a Humane City will adopt an integrated system of policies all working towards similar humane outcomes. While the Resolution can be attributed for a percentage of the new residents in Austin, the support of pet-friendly initiatives through other institutions such as housing, enables the residents to enact humane attitudes in a variety of contexts, thereby fortifying the social impacts of Austin's city branding.

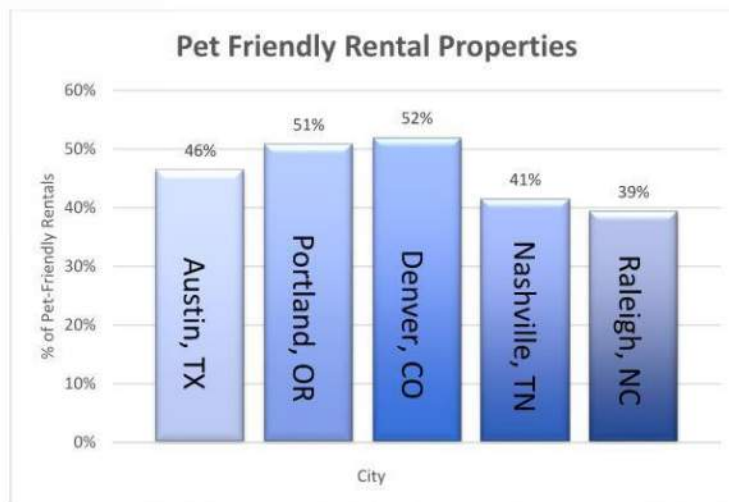


Figure 19. Percentage of available rental properties that are pet-friendly¹⁰⁴. Data provided in Appendix K.

The economic impact of Resolution 20091105-040 on Austin's city branding was estimated by first comparing the population in Travis County to the total MSA level population in the state of Texas for 2005-2016. The Travis County population growth during 2010-2016 was then detrended using the Texas MSA population as a control variable¹⁰⁵, resulting in an estimate that the Travis County population outgrew the rest of the Texas MSAs by 195,386 people ("surplus" population). Using the Census-reported median income of \$61,451¹⁰⁶, and multiplying with the estimated surplus population since 2010, the total income generated by the surplus population was estimated to be approximately \$12 billion, \$4.9 billion of which was spent in the local economy¹⁰⁷. As noted in the Census conducted Current Population Survey¹⁰⁸, people move due to family-related, housing-related, job-related and other reasons. There is no reason to believe that the surplus population in Travis County can be attributed to family reasons

¹⁰⁴ Zillow and Trulia, April 2017-May 2017

¹⁰⁵ By comparing growth of population in pre-2010 to post-2010 segments.

¹⁰⁶ <https://www.census.gov/quickfacts/table/PST045125/48453>

¹⁰⁷ <http://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2016/03/household-expenditures-and-income>

¹⁰⁸ U.S. Census Bureau, Current Population Survey, Annual Social and Economic Supplement.

(when compared to the rest of Texas), since those movers would be equally reflected in the control variable, the Texas MSA population¹⁰⁹. Additionally, housing price indices indicate that Travis County has consistently been more expensive than the rest of Texas¹¹⁰. In other words, the surplus population cannot be attributed to housing reasons as well. Controlling for those two factors, uncategorized other reasons, which is inferred to include the implementation of the Resolution, accounted for 9.8% of all mover related reasons.

Finally, a survey of Austin residents conducted as part of this study found that 15% of the 750 respondents¹¹¹ reported that a city's pet friendliness would affect their decision about moving to that city or not. In other words, it is estimated that 15% of the 9.8% ("other uncategorized reason" movers) of Travis county population surplus can be attributable to the Resolution, yielding \$72.3 million local economic impact attributable to the implementation of Resolution 20091105-040. (Appendix L, Appendix M).

Potential Additional Impacts

While not included as part of the total economic impact calculated in this report, several potential public health and social impacts are considered here. These effects are additional benefits potentially accrued by Austin as result of Resolution 20091105-040 and by other Humane Cities.

Public Health

The Resolution legislated significant operational changes at the municipal shelter with the intent of improving animal welfare outcomes for Austin's unhoused companion animals. However, by supporting improvements to animal welfare, Humane Cities may also experience improvements in human welfare and public health. Increasing the LRR of a city shelter requires both increased rates of adoption and/or transfer partnerships. In particular, increases in the rate of adoption can be connected to increased rates of pet-keeping in the community and increases in transfers can result in increased numbers of animal available for adoption in other communities that are seeking to increase pet-keeping rates.

Across communities, companion animals have been correlated with changes to individuals' and families' holistic wellness, including their physical, mental, and social health^{112,113,114}. Several studies have identified pet-keeping as a protective mechanism

¹⁰⁹ Otherwise, we would impose that Travis County have higher parenthood / family ties than the rest of Texas

¹¹⁰ <https://fred.stlouisfed.org/series/ATNHPIUS48453A> and <https://fred.stlouisfed.org/series/TXSTHPI>

¹¹¹ Originally 17.2% responded, adjusted down to 15% in order to control for the selection bias, by comparing the pet ownership rates in the survey to average pet ownership rate in Austin area.

¹¹² Hodgson, K., Barton, L., Darling, M., Antao, V., Kim, F. A., & Monavvari, A. (2015). Pets' impact on your patients' health: Leveraging benefits and mitigating risk. *The Journal of the American Board of Family Medicine*, 28(4), 526-534

¹¹³ Wzu, Y., Luben, R., Jones, A. (2017). Dog ownership supports the maintenance of physical activity during poor weather in older English adults: cross-sectional results from the EPIC Norfolk cohort. *Journal of Epidemiology and Community Health*. DOI: 10.1136/jech-2017-208987

¹¹⁴ Connolly, J.J.; Svendsen, E.S.; Fisher, D.R.; Campbell, L.K. (2014). Networked governance and the management of ecosystem services: The case of urban environmental stewardship in New York City. *Ecosystem Services*. 10: 187-194.

for cardiovascular health^{115,116}. Pets may also serve as important sources of attachment that can result in improved psychosocial outcomes for humans^{117, 118}. In this way, emphasizing the value of companion animal lives may also result in benefits to the human population.

Pets in homes may result in a variety of different cost-related benefits, including health-related expenditure savings. A study in Australia indicates that pet-related health benefits could translate to significant public health savings, with one estimate for decreased annual health expenditures at \$3.86 billion (7.2%), if pet-keepers visited a doctor as often as non-pet-keepers¹¹⁹. At the time of this report these expenditures could not be estimated for Austin using existing data. According to the Texas Veterinary Medical Association, Austin has 365 veterinarians - the highest number of veterinarians per capita in the state and not far behind the city's estimated 400 to 450 pediatricians¹²⁰. This ratio of veterinarians to pediatricians may be an indicator of the increasing relevance of pet-keeping in Austin. Further study is needed in this area to understand how pet-keeping may influence human pet-keepers' health decisions for themselves and for their families.

Previous research indicated that there may be some negative implications for expanded opportunities for pet-keeping which include those incidences primarily managed through animal protection or animal control services. In 1986, dog bites were identified as among the top 12 causes of non-fatal injury in the U.S.¹²¹, while another study identified animal control issues as the most common complaint city officials receive from their constituents¹²². A more recent study in 2002 estimated that there are roughly 1.5 to 4.5 animal control complaints per 1,000 people in major U.S. cities¹²³.

In this way, as a municipal facility, AAC has a duty to "protect" the public from any risk that may occur as a result of increased pet-keeping in communities. Dog bite data from Austin Animal Services indicate that although there has been an increase in dog bites since the implementation of the Resolution in 2010, the upward trend in dog bites began in Austin as early as 2003 (Appendix N)¹²⁴. A t-test analysis of severe dog bites shows that severe dog bites from 2005 to 2009 (M=39, SD=16) did not vary significantly from severe dog bites from 2010 to 2015 (M=70, SD=72) ($P=0.349$). The same analysis on moderate dog bites found that moderate dog bites from 2005 to 2009 (M=218, SD=52) did not vary significantly from moderate dog bites from 2010 to 2015 (M=464, SD=340) ($P=0.138$). It is important to note that the 2012 year of reporting may

¹¹⁵ Arhant-Sudhir, K., Arhant-Sudhir, R. Sudhir, K. (2011). Pet ownership and cardiovascular risk reduction: supporting evidence, conflicting data and underlying mechanisms. *Clinical and Experimental Pharmacology and Physiology*, 38, 734-738.

¹¹⁶ Levine, G., Allen, K., Braun, L., Christian, H., Friedmann, E., Taubert, K., Thomas, S., Wells, D., & Lange, R. (2013). Pet ownership and cardiovascular risk: A scientific statement from the American Heart Association. 127, 2353-2363.

¹¹⁷ Kurdek, L.A. (2009). Pet dogs as attachment figures for adult owners. *Journal of Family Psychology*, 23, 439-446.

¹¹⁸ Holt-Lunstad, J., Smith, T. B., Layton, J. B. (2010). Social relationships and mortality risk: A meta-analytic review. *PLoS Medicine* 7(7): e1000316.

¹¹⁹ Heady, B., Grabka, M., Kelley, J., Reddy, P., & Tseng, Y. (2002). Pet ownership is good for your health and saves public expenditure too: Australian and German longitudinal evidence. *Australian Social Monitor*, 5(4), 93-99.

¹²⁰ <http://www.statesman.com/lifestyles/pets/welcome-dogtown-aka-austin-texas/GXzyLzZSKTCvnBV40IIcWl/>

¹²¹ Sosin, D.M., Sacks, J.J., Sattin, R.W. (1986). Causes of nonfatal injuries in the United States. *Accident Analysis and Prevention* 24, 658-957.

¹²² Bancroft, R.L. (1974). America's mayors and councilmen: their problems and frustrations. *Nation's Cities* 12, 14-22.

¹²³ Clifton, M. (2002). Animal control is people control. *Animal People* 11 (5).

¹²⁴ http://www.austintexas.gov/sites/default/files/files/Animal_Services/Response_8_14.pdf

be considered an outlier for all categories of dog bites (moderate bites = 1,147, severe bites = 211) and may have skewed the mean and standard deviations. When excluding the data reported in 2012 for the t-test analysis, severe dog bites from 2005 to 2009 (M=39, SD=16) still did not vary significantly from severe dog bites from 2010 to 2015 (excluding 2012) (M=42, SD=22) ($P=0.833$). However, moderate dog bites from 2005 to 2009 (M=218, SD=52) did vary significantly from moderate dog bites from 2010 to 2015 (excluding 2012) (M=327, SD=64) ($P=0.019$). These data indicate that the Resolution may have coincided with an increased reporting and/or incidence of dog bites, however the upward trend also coincides with an increase in human population within Travis County as well as with an increase in total number of animals in Austin and therefore the increased trend in dog bites cannot be attributed exclusively to the Resolution.

The City of Austin manages the reporting of animal welfare concerns like cruelty and neglect citations utilizing a web-based platform in which real-time updates can be recorded and viewed by community members. One such example of this is the "Dangerous Dog" map where community members can view the locations of any dogs who have received citations but are able to remain in their homes under a set of restrictions, including a special identification tag that must remain visible¹²⁵. The presence of publicly available data on animal welfare concerns is one example of how a city can enhance community education and safety by remaining transparent on both the positive and negative state of the city's animal welfare.

Social Capital

Resolution 20091105-040 represents a significant social effort to prioritize animal welfare within Austin's city governance. According to social science research, the driver behind this effort is most likely rooted in the perception that the change could then result in improvements in human individual's personal welfare or utility¹²⁶. This is important to note insofar as, at present, economic arguments and political agendas do not appear to serve as sufficient incentive for valuing the lives of companion animals¹²⁷. In this way, there are factors beyond the economic and operational components of the Resolution that have motivated the citizens of Austin to move towards a Humane City and that inform the more indirect impacts of the legislation in Austin.

The overall increase in pet-keeping that may have resulted from the Resolution may serve as a mechanism for shifting Austin to a more humane and compassionate city. Studies indicate that pet-keeping is positively associated with some forms of social contact and interaction (civic engagement) and with perceptions of neighborhood friendliness. For example, pets can inform the exchange of favors that can be symbolic of trust¹²⁸. Therefore, pet-keeping may be emerging in Austin as an important driver of pro-social behavior and other mechanisms of social capital.

¹²⁵ <https://data.austintexas.gov/Public-Safety/Statesman-Dangerous-Dog-Map/w2sb-hd72>

¹²⁶ Paavola, J., Adger, W.N. (2005). Institutional ecological economics. *Ecological Economics*, 53, 353-368.

¹²⁷ Farber, S. (1991). Local and global incentives for sustainability: failures in economic systems. In *Ecological Economics: the science and management of sustainability*, ed. R. Costanza, 344-354. Columbia University Press, New York.

¹²⁸ Wood, L. (2000). Social capital, physical environments, and health: study funded by Healthway starter grant. Perth: The University of Western Australia.

Furthermore, social capital is associated with increases in reciprocity-based networks¹²⁹ that can be an increasing driver of an individual or family's ability to care for their pets. In this way, policies that build upon and result in an increase in social capital and these reciprocity-based networks can assist in building measures of coping and resilience that may be important to decreasing negative human and animal welfare outcomes¹³⁰.

An important factor for whether or not communities can utilize social capital as a mechanism for caring for their animals is the degree to which the formal institutions of the city support means of connection¹³¹. By connecting community members together, either by necessity to achieve operational effectiveness at the shelter or informally through the increased social connectivity that results from an increased number of companion animals in a community, "humane" oriented policies like Resolution 20091105-040 can contribute to the social and civil health of the city as a whole.

Community Engagement

The degree to which animal welfare is protected in a city goes beyond shelter management and is increasingly informed by larger community measures of compassionate engagement and responsible pet-keeping. The effectiveness of humane policies such as "No Kill" animal sheltering may be evaluated based on its impacts on animal welfare outcomes outside those specifically addressed through shelter operations. Animal cruelty citations are one such indicator of whether Resolution 20091105-040's emphasis on shelter operations had any peripheral impacts on Austin's or Travis County's greater animal welfare. Data obtained by public information requests¹³² indicate that reporting of animal cruelty went up immediately following the implementation of the Resolution in 2010, but have since decreased since 2012 (Figure 20). This increase is mostly likely due to an overall increase in reporting that may have resulted from increased awareness of animal welfare-related concerns and/or increased effectiveness of animal protection officers' field services, including the efficiency of Animal Services' reporting processes. The decrease following 2012 could indicate that the community engagement was high with the topics of animal welfare brought to attention by the Resolution and then may have resulted in changes to negative behaviors that previously resulted in animal cruelty offenses. It is important to note that one finding of the 2015 City of Austin audit discussed previously was that animal protection officer response time had decreased. No conclusions can be drawn based on the available data regarding how this initial increase followed by decrease in cruelty citations may have been informed by animal protection officer response time. More data are needed in this area to draw firm conclusions on how the Resolution has impacted the more negative animal welfare outcomes like incidence of cruelty citations.

¹²⁹ Paavola, J., Adger, W.N. (2005). Institutional ecological economics. *Ecological Economics*. 53. 353-368.

¹³⁰ Ibid.

¹³¹ Woolcock, M. & Narayan, D. (2000) Social capital: implications for developmental theory, research and policy. *World Bank Reserve Obs.* 15, p. 234.

¹³² Public Information Request - Austin Police Department

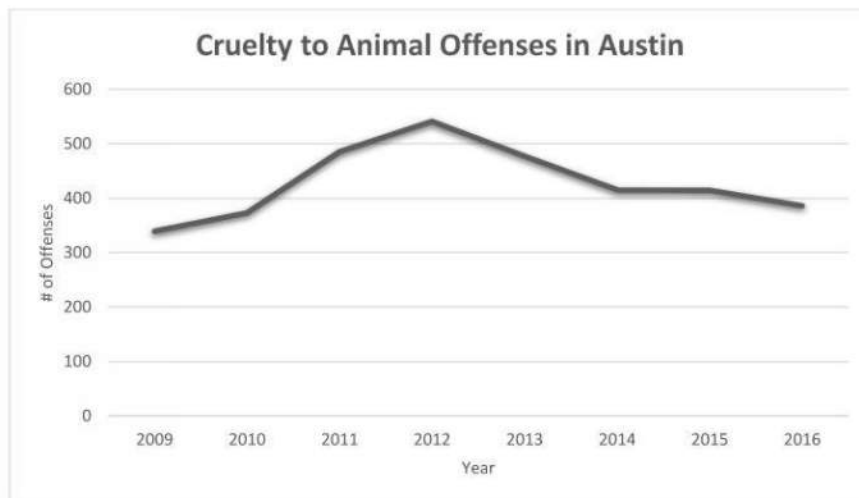


Figure 20. Annual numbers of City of Austin Cruelty to Animal Cases from 2010 to 2016. Data provided in Appendix O.

While animal cruelty offenses may serve as an indicator of community awareness of the issue of the humane treatment of animals, community engagement is another measure of the impact of the Resolution on the greater city of Austin and Travis County. Donations to animal welfare organizations are one strong indicator of community support for humane policies. A study as early as 1992 indicated that 10-15 million Americans had a membership of some form with an animal welfare group, with 20% of Americans reporting that they contributed money to an animal welfare organization¹³³. APA, as a private, non-profit organization, runs most of its operations from community donations. In this way, many of the positive outcomes that have resulted from the partnership between AAC and APA are optimized through community engagement by way of donations. APA reported having collected a total of \$16.5 million in donations since 2010 (Figure 21) with about 50% of all monetary donations coming from individual contributions¹³⁴ (Appendix P).

¹³³ Jasper, J.M., & Nelkin, D. (1992). *The Animal Rights Crusade: the growth of moral protest*. The Free Press, New York.

¹³⁴ Ibid.

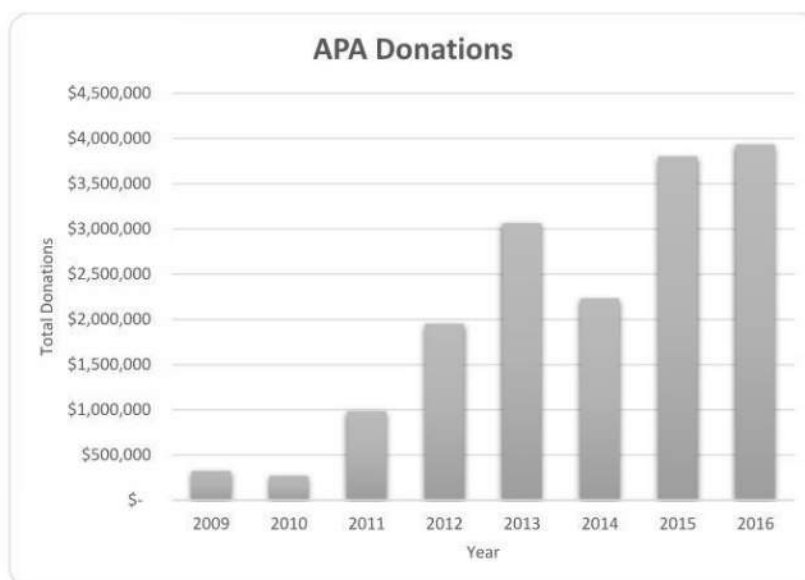


Figure 21. APA year to year donation growth¹³⁵. Individual donation data provided in Appendix P.

Social engagement is another indicator of the Austin community's support of humane initiatives. For example, Ride Austin, the local ride-hailing service similar to Uber and Lyft, offers riders the option to donate to a chosen local charity campaign. As of July 2017, APA has raised \$38,930.58 - the most of any non-profit participating in Ride Austin fundraising¹³⁶. Amplify Austin Day is the city's annual community-wide day of online giving to local nonprofits. In 2017, Amplify Austin Day raised \$9.8 million for nearly 700 Central Texas nonprofits¹³⁷, with APA receiving a \$1,000 match for having the most donors in one hour and the \$5,000 grand prize for most individual fundraisers. In total, APA received 1,893 donations on Amplify Austin Day, the most across all categories of participants, and was 12th in total dollars raised at \$135,851.26¹³⁸.

Foster and volunteer data also indicate that the Austin community supports APA and AAC year-round, not just on special days and in emergencies. As previously discussed in this report, there are over 2,900 approved foster homes between the two organizations, representing one of the most extensive foster networks in the country. In addition to foster homes, the most recent volunteer data indicates that APA had 2,629 volunteers who contributed 114,955 hours in 2016¹³⁹ while AAC volunteers donated 49,000 hours¹⁴⁰.

¹³⁵ APA Abila donor database

¹³⁶ Diamante, R. (2017, Jun 07). Ride-hailing companies react to Uber and Lyft's return. Spectrum News. Retrieved from: <http://www.twcnews.com/tx/austin/news/2017/06/7/ride-hailing-companies-react-to-uber-lyft-s-return.html>

¹³⁷ <https://amplifyatx.ilivehereigivehere.org/content/whatsAmplify>

¹³⁸ APA Amplify Austin donation data

¹³⁹ APA Volunteer Tracking

¹⁴⁰ <https://www.givepulse.com/event/3495-Volunteer-opportunities-at-Austin-Animal-Center>

Limitations and Implications

This report represents the first attempt to comprehensively document the impacts of Resolution 20091105-040 on the social, economic, and health-related areas of the city of Austin, greater Travis County, and surrounding communities. Assessing data across such a variety of industries and sources required a high-level of attention to detail and nuance. Central to the conclusions presented in this report is the assumption that the data provided by the various agencies was done so in a complete and truthful manner.

Overall, limitations in the data were addressed by using the most conservative sources and findings available, and by using standard economic analyses and models to account for microeconomic and macroeconomic trends. In instances where data was not available to support or refute a conclusion, that information as indicated. The absence of publicly-available or otherwise accessible data was the primary limitation encountered throughout this study.

Data obtained from APA and AAC may be limited insofar as there have been changes to both databases and individuals collecting the data throughout the study period from 2005 to 2016 that impacted the categories of data the research team was able to collect. For example, length of stay is a metric that is not available within AAC's database and therefore it was not feasible for the organization to report on this consideration for the shelter's outcome data. In particular, the "other" outcome category varies between the two organizations (transfer is included in "other" for APA while it is its own category for AAC). Efforts were made to standardize the inclusion definition for each field included in this report.

Speak Up Austin and the Young Chamber of Commerce supported the research team by distributing the survey on Austin pet-keeping to their constituents. Data collected within the survey of Austin residents are subject to response bias. However, participants who took the survey did so of their own volition, and were not incentivized in any manner by the research team.

Conclusion

This study represents the most comprehensive analysis conducted to date of the impacts of the City of Austin Resolution 20091105-040. The study utilized standard microeconomic and macroeconomic analyses, along with emerging impact assessment methodologies, to produce conservative estimations of both the costs and economic benefits of implementing the Resolution. Ultimately, the feasibility of implementing the Resolution is a community's financial and ethical decision on how much cost per animal can be supported as well as how welfare will be defined within sheltering. However, many of the findings are generalizable to other municipalities in the U.S. For example, the increased shelter staffing required to implement the legislation and the veterinary and pet-related retail services required to support any increased number of adopted dogs and cats in the community would have similar direct and indirect economic impacts across any local economy.

The study found that a high LRR is achievable at a municipal level. However, in Austin it has required extensive additions to animal sheltering resources (as measured

by both the increase in the city budget for the municipal shelter and the average cost per animal served by the shelter compared to that in several other U.S. cities) paired with broad and active community support (as measured by the number of supportive donors, volunteers, foster homes, and non-profit transfer partner organizations). In addition, the ethics of the extended lengths of stay experienced by some of the animals, whether in shelters or foster care, remains an issue that requires further study and discussion by the animal welfare profession.

The costs associated with implementing the Resolution appear to have been more than offset by a series of economic benefits to the community. The majority of the positive economic impacts result from increased employment within animal services as well as the increased use of pet care and pet retail services. An additional benefit appears to be the positive contribution of Austin's progressive animal welfare policies to its brand equity. This impact is important as municipalities compete with each other to attract employee demographics that in turn draw new business and new economic growth to their area. Although not included in the final economic impact calculation, the potential impacts of progressive animal welfare policies on larger social and environmental outcomes, including public health, social capital, and community engagement, have important implications for Austin's ability to promote and sustain the health and well-being of both its human and animal residents.

The implementation of Resolution 20091105-040 demonstrates that components of creating a Humane City can be legislated. Like other public policy making, legislating animal welfare policies should include extensive community input and planning to be successful over the long term. In the case of implementing humane policies within shelter operations, a balance point between the financial costs and benefits identified in this study must be integrated into the ethical considerations associated with how companion animal quality of life is defined. Appropriate infrastructure should be developed alongside existing community resources to ensure an effective and sustainable model is established to implement the policy change. Above all, a community's companion animal lifesaving goals, and its commitment to deploying the resources required to achieve them, must come from an open, honest, and ongoing conversation around benefits and tradeoffs. As more communities commit to substantially improving their animal shelter outcomes, best practices can be established across systems to avoid implementation pitfalls, optimize resources, and maximize impacts on both the animals and the community at large. We hope that this study contributes to the honest dialog and open debate necessary to identify the best practices for improving animal welfare within the context of creating Humane Cities.

Acknowledgements

The authors thank Austin Animal Center and Austin Pets Alive! for providing access to their data, and to Speak Up Austin and Young Chamber of Commerce for distributing the survey for additional data collection on Austin residents. This study was funded in full by WaterShed Animal Fund.

APPENDICIES

Appendix A: Pet Ownership Estimates by State (AVMA¹⁴¹)

Percentage of households that owned pets and number of pet-owning households				
Rank	Region	Number of Households (in 1,000)	Percentage of Owners	Number of Pet Households
	United States	118,682	56%	66,449
1	Vermont	265	71%	188
2	New Mexico	773	68%	523
3	South Dakota	333	66%	219
4	Oregon	1,505	64%	957
5	Maine	548	63%	345
6	Washington	2,632	63%	1,649
7	Arkansas	1,148	62%	716
8	West Virginia	765	62%	475
9	Wyoming	221	62%	137
10	Idaho	568	62%	352
11	Kentucky	1,777	62%	1,094
12	Missouri	2,498	61%	1,534
13	Colorado	1,986	61%	1,217
14	Montana	410	61%	251
15	Kansas	1,133	61%	691
16	Indiana	2,478	60%	1,484
17	Tennessee	2,583	60%	1,540
18	Arizona	2,515	60%	1,497
19	Alabama	1,828	60%	1,088
20	Oklahoma	1,479	59%	872
21	Texas	9,002	58%	5,265

¹⁴¹ <https://www.avma.org/KB/Resources/Statistics/Pages/Market-research-statistics-US-pet-ownership.aspx>

22	Wisconsin	2,350	58%	1,352
23	Ohio	4,661	57%	2,677
24	New Hampshire	508	57%	289
25	Pennsylvania	5,172	57%	2,942
26	Delaware	334	57%	189
27	North Carolina	3,701	56%	2,089
28	Mississippi	1,115	56%	629
29	Nevada	986	56%	548
30	Michigan	3,804	55%	2,108
31	Georgia	3,798	55%	2,093
32	Louisiana	1,702	55%	937
33	Connecticut	1,337	54%	728
34	Florida	7,609	54%	4,138
35	South Carolina	1,759	54%	951
36	North Dakota	272	54%	147
37	Iowa	1,219	54%	654
38	Virginia	3,017	53%	1,611
39	Rhode Island	434	53%	230
40	Minnesota	2,163	53%	1,146
41	California	12,974	53%	6,865
42	Maryland	2,169	52%	1,134
43	Illinois	5,026	52%	2,602
44	Nebraska	710	51%	364
45	Utah	930	51%	476
46	New Jersey	3,177	51%	1,611
47	New York	7,512	51%	3,802
48	Massachusetts	2,618	50%	1,318
49	D.C.	287	22%	63

Appendix B: Pet Ownership Estimates by MSA (American Housing Survey)

2013 American Housing Survey, Selected MSA Level (Units in thousands)				
Rank	Geography	Total Occupied Units	Total Occupied Units- Pets present	% Occupied Units with Pets
1	Tucson, AZ AHS Area	372.8	218.3	59%
2	Oklahoma City, OK AHS Area	488	275.3	56%
3	Austin-Round Rock, TX AHS Area	669.6	367.4	55%
4	San Antonio, TX AHS Area	777.6	420.7	54%
5	Louisville, KY-IN AHS Area	517.2	279	54%
6	Nashville-Davidson-Murfreesboro, TN AHS Area	622.1	334.9	54%
7	Rochester, NY AHS Area	414.4	210.8	51%
8	Seattle-Tacoma-Everett, WA AHS Area	1375.9	690.1	50%
9	Tampa-St. Petersburg, FL AHS Area	1085.5	532.7	49%
10	Orlando, FL AHS Area	813.2	391.8	48%
11	Minneapolis-St. Paul, MN-WI AHS Area	1301.7	617.1	47%
12	Richmond, VA AHS Area	487.5	230.6	47%
13	Houston, TX AHS Area	2152.4	994.4	46%
14	Hartford, CT AHS Area	426.5	193	45%
15	Philadelphia, PA-NJ AHS Area	1965.7	880.4	45%
16	Baltimore, MD AHS Area	1018.1	453	44%
17	Jacksonville, FL AHS Area	510.4	223.9	44%
18	Detroit, MI AHS Area	1722.4	755.3	44%
19	Las Vegas-Paradise, NV AHS Area	692.9	302.4	44%
20	Miami-Ft. Lauderdale-Hollywood, FL AHS Area	1978.8	772.5	39%
21	Washington-Arlington, DC-VA-MD-WV AHS Area	2114	790.8	37%
22	Chicago, IL AHS Area	2901	1074.2	37%
23	Northern New Jersey, NJ AHS Area	2284.7	845	37%
24	Boston, MA AHS Area	1139.3	402.5	35%
25	New York, NY AHS Area	4304.8	1062.8	25%
	MSA total	32,136.5	13,318.9	41%
	USA (including non-MSA areas)¹⁴²	115,852	56,097	48%

¹⁴² Calculated using the non-MSA version of the American Housing Survey 2013 survey

Appendix C: Austin Animal Center Intake

Year	Owner Surrender: Cats	Owner Surrender: Dogs	Stray: Cats	Stray: Dogs	Total Intake: Cats	Total Intake: Dogs
2005	2967	3355	6299	8979	9678	13423
2006	3194	3385	4488	8799	8125	13367
2007	3830	3646	5369	9013	9902	13842
2008	3279	3229	4987	8020	8790	12461
2009	2540	3295	3975	7815	6992	12300
2010	3122	3418	5494	7816	9187	12382
2011	2504	2698	3723	6779	6590	10661
2012	2210	2733	5228	7466	7614	11166
2013	1965	2369	5667	7430	7806	10852
2014	1305	2016	5297	7601	6835	10613
2015	1208	2000	5980	7447	7331	10430
2016	1448	1892	5155	7299	6793	10065

Appendix D: Travis County Dead Animal Pick Up

	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Cats	178	569	531	705	672	711	678	757	405	625	659	589	489
Dogs	93	326	309	349	311	487	361	307	205	270	277	230	182
Total	271	895	840	1054	983	1198	1039	1064	610	895	936	819	671

Appendix E: PASS Intake @ Austin Pets Alive!

Year	Dogs	Cats
2008	66	3
2009	30	64
2010	113	28
2011	169	282
2012	95	67
2013	453	195
2014	563	391
2015	467	333
2016	734	740

Appendix F: AAC and APA Outcome Data

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
<i>Cat Outcomes</i>												
AAC												
Adopted	1807	1679	1883	2100	2096	2833	3067	2827	3146	2658	4532	3120
Return To Owner	212	172	253	299	335	496	384	307	337	315	337	304
Non APA Transfer	536	818	957	931	791	771	950	667	1733	1447	1407	1309
Euthanized	7009	5385	6692	5341	2805	3117	956	593	620	419	495	256
Other	115	64	98	91	97	205	104	101	81	80	104	127
AAC Total	9679	8118	9883	8762	6124	7422	5461	4495	5917	4919	6875	5116
APA												
Adopted	0	0	0	23	701	1471	2097	2989	2539	3090	3539	3450
Return to Owner	0	0	0	0	1	3	0	0	0	6	0	0
Euthanized	0	0	0	0	6	22	22	21	23	28	40	64
Other	0	0	0	0	69	133	207	799	168	190	204	215
APA Total	0	0	0	23	777	1629	2326	3809	2898	3314	3783	3729
<i>Dog Outcomes</i>												
AAC												
Adopted	2535	2444	2442	2322	2792	3381	4398	4718	4275	4532	4554	4669
Return To Owner	2658	2765	2928	2895	2929	2968	2797	2691	2999	2923	3018	3084
Non APA Transfer	1542	1821	2026	1873	1899	1761	1129	1175	1257	1086	1093	881
Euthanized	6585	6186	6343	4587	3342	2862	1034	777	767	632	541	194
Other	137	147	107	106	137	104	70	31	41	34	43	41
AAC Total	13457	13363	13846	11783	11099	11076	9428	9392	9339	9207	9249	8869
APA												
Adopted	0	0	0	697	1304	1610	2868	3483	3188	3591	3450	3531
Return to Owner	0	0	0	0	0	5	7	4	22	18	9	10
Euthanized	0	0	0	2	14	12	28	20	36	40	48	89
Other	0	0	0	0	59	61	123	156	117	140	153	139
APA Total	0	0	0	699	1377	1688	3026	3663	3363	3789	3660	3769

Appendix G: APA Length of Stay Data for a random sample of 145 dogs in APA's care in 2016

Total LOS	Ave. Days Available for Adoption	Ave. Days Not Available for Adoption
0-60 days	20	36
60-120 days	91	1
120-180 days	150	31
180-240 days	208	7
240-300 days	264	9
300-360 days	306	58
>360 days	534	75

Appendix H: AAC Budget

	2009	2010	2011	2012	2013	2014	2015	2016
AAC Budget	\$5,368,265	\$5,959,503	\$6,975,362	\$7,813,733	\$8,522,794	\$9,021,282	\$10,729,203	\$12,061,551
City of Austin Budget ¹⁴³	\$2.63B	\$2.75B	\$2.8B	\$2.8B	\$3.1B	\$3.3B	\$3.5B	\$3.5B
AC budget as % of City Budget	0.204%	0.217%	0.249%	0.279%	0.275%	0.273%	0.307%	0.345%

¹⁴³ https://austintexas.gov/financeonline/finance/financial_docs.cfm?ws=1&pg=1

Appendix I: IMPLAN Data

2010			
	Labor Income	Value Added	Output
Direct Effect	\$835,629.75	\$835,629.75	\$1,391,411.62
Indirect Effect	\$32,912.61	\$59,250.78	\$112,911.90
Induced Effect	\$200,971.89	\$365,547.32	\$611,825.89
TOTAL	\$1,069,514.68	\$1,260,428.00	\$2,116,149.19

2011			
	Labor Income	Value Added	Output
Direct Effect	\$1,180,098.60	\$1,180,098.60	\$1,904,480.12
Indirect Effect	\$270,417.46	\$481,162.96	\$866,168.40
Induced Effect	\$292,839.62	\$516,312.22	\$871,498.42
TOTAL	\$1,743,355.69	\$2,177,573.14	\$3,642,147.04

2012			
	Labor Income	Value Added	Output
Direct Effect	\$1,984,692.95	\$1,984,692.95	\$2,572,250.59
Indirect Effect	\$218,320.18	\$386,598.77	\$708,475.24
Induced Effect	\$424,597.17	\$744,743.74	\$1,261,020.62
TOTAL	\$2,627,610.29	\$3,116,035.46	\$4,541,746.46

2013			
	Labor Income	Value Added	Output
Direct Effect	\$2,330,031.36	\$2,330,031.36	\$3,099,788.97
Indirect Effect	\$299,128.03	\$567,300.85	\$1,003,782.62
Induced Effect	\$621,117.82	\$1,064,692.37	\$1,781,838.70
TOTAL	\$3,250,277.21	\$3,962,024.58	\$5,885,410.29

2014			
	Labor Income	Value Added	Output
Direct Effect	\$2,647,035.30	\$2,647,035.30	\$3,582,467.00
Indirect Effect	\$382,765.97	\$695,237.59	\$1,224,643.88
Induced Effect	\$697,722.49	\$1,219,847.78	\$2,034,480.57
TOTAL	\$3,727,523.75	\$4,562,120.67	\$6,841,591.44

2015			
	Labor Income	Value Added	Output
Direct Effect	\$3,326,707.05	\$3,326,707.05	\$4,394,010.92
Indirect Effect	\$439,444.88	\$759,870.85	\$1,313,038.73
Induced Effect	\$915,474.86	\$1,568,252.86	\$2,613,909.53
TOTAL	\$4,681,626.80	\$5,654,830.76	\$8,320,959.18

2016			
	Labor Income	Value Added	Output
Direct Effect	\$3,910,445.82	\$3,910,445.82	\$5,101,458.49
Indirect Effect	\$486,605.78	\$841,481.00	\$1,454,177.79
Induced Effect	\$1,062,931.29	\$1,820,838.62	\$3,034,924.65

Total			
	Labor Income	Value Added	Output
Direct Effect	\$16,214,640.83	\$16,214,640.83	\$22,045,867.69
Indirect Effect	\$2,129,594.90	\$3,790,902.81	\$6,683,198.55
Induced Effect	\$4,215,655.14	\$7,300,234.90	\$12,209,498.38
TOTAL	\$22,559,890.87	\$27,305,778.54	\$40,938,564.63

Appendix J: Lifetime Animal Spend (based on the National Pet Products Association Study)

Average Lifespan in Years	
Cats	15
Dogs	12.8
Annual Spend	
Medical Care	
Cats	\$193
Dogs	\$239
Licensing	
Cats	\$7
Dogs	\$7
Food	
Cats	\$203
Dogs	\$231
Treats	
Cats	\$36
Dogs	\$65
Toys	
Cats	\$23
Dogs	\$41
Grooming	
Cats	\$20
Dogs	\$61
Boarding/Pet-sitting	
Cats	\$337
Dogs	\$327
TOTAL	
Cats	\$819
Dogs	\$971

Average lifetime spend per animal = $((\$819 \times 15) + (\$971 \times 12.8)) / 2 = \$12,357$

Appendix K: Pet-friendly Rental Housing Comparison

	Austin		Portland		Denver		Nashville		Raleigh	
	Trulia	Zillow	Trulia	Zillow	Trulia	Zillow	Trulia	Zillow	Trulia	Zillow
4/7/17										
Total # of Rentals	2682	2096	1483	1109	2740	1686	865	956	892	756
Pet friendly	1201	1021	749	594	1347	893	349	399	351	310
% pet friendly	45%	49%	51%	54%	49%	53%	40%	42%	39%	41%
4/14/17										
Total # of Rentals	2722	2134	1462	1096	2711	1683	863	950	899	768
Pet friendly	1204	1031	735	571	1327	891	337	387	340	300
% pet friendly	44%	48%	50%	52%	49%	53%	39%	41%	38%	39%
4/24/17										
Total # of Rentals	2750	2138	1461	1089	2703	1683	859	917	873	740
Pet friendly	1185	1009	734	569	1353	898	342	381	343	302
% pet friendly	43%	47%	50%	52%	50%	53%	40%	42%	39%	41%
5/3/17										
Total # of Rentals	2823	2198	1457	1069	2703	1655	854	933	868	744
Pet friendly	1217	1040	713	534	1371	905	350	406	329	296
% pet friendly	43%	47%	49%	50%	51%	55%	41%	44%	38%	40%
5/10/17										
Total # of Rentals	3062	2350	1484	1082	2721	1678	911	1000	852	736
Pet friendly	1175	1006	731	549	1383	929	381	446	326	294
% pet friendly	38%	43%	49%	51%	51%	55%	42%	45%	38%	40%

Appendix L: Reasons for Moving (Current Population Survey, Annual Social and Economic Supplement, 2010-2016)

	Mobility Period	2010-2016 Total	2010-2016 %
	Total Movers	249,662	100.0%
Family Related	Change in marital status	13,548	5.4%
	To establish own household	26,556	10.6%
	Other family reason	32,441	13.0%
Job Related	New job or job transfer	23,468	9.4%
	To look for work or lost job	5,101	2.0%
	Easier commute	14,181	5.7%
	Retired	1,531	0.6%
	Other job related reason	4,587	1.8%
Housing Related	Wanted own home, not rent	12,875	5.2%
	Wanted new or better home/ apartment	39,819	15.9%
	Wanted better neighborhood /less crime	8,309	3.3%
	Wanted cheaper housing	22,565	9.0%
	Foreclosure/eviction	3,324	1.3%
	Other housing reason	28,564	11.4%
Other Reasons	To attend or leave college	3,621	1.5%
	Change of climate	700	0.3%
	Health reasons	2,228	0.9%
	Natural disaster	156	0.1%
	Other uncategorized reasons	6,089	2.4%
Total non-family, non-housing related reason movers		61,662	24.7%
"Other uncategorized reasons" movers % of non-family non-housing related movers		6,089	9.87%

Appendix M: Summary of Brand Equity Calculations

City Branding Related No-Kill Impact Estimation		
Category	Statistic	Source
Total Surplus (compared to all MSA, TX) In-migrating Population in Travis County, 2010-2016	195,386	https://www.dshs.texas.gov/chs/popdat/default.shtm
Median Income (2011-2015) - Travis County	\$61,451.00	https://www.census.gov/quickfacts/table/PST045125/48453
Total Income by Surplus In-migrating population 2010-2016	\$12,006,643,463	Calculation
Local spending % (housing + entertainment + food)	40.7%	http://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2016/03/household-expenditures-and-income
Local Expenditure by Surplus In-migrating population 2010-2016	\$4,883,823,723	Calculation
% of Movers due to "Other" Reasons (Excluding non-family and non-housing)*	9.87%	https://www.census.gov/prod/2014pubs/p20-574.pdf
Adjusted No-Kill Related Moving % (From our survey results)	15.0%	Survey Results
Local Expenditure by Surplus In-migrating population due to No-Kill Related Movers, 2010-2016	\$72,252,686	Calculation
<p>*Family factor cannot explain why Travis county has more in-migration compared to rest of Texas MSA. Housing prices went up faster in Travis County compared to rest of Texas. https://fred.stlouisfed.org/series/ATNHPIUS48453A and https://fred.stlouisfed.org/series/TXSTHPI</p>		

Appendix N: Austin Animal Services Bite Data

Year	Minor	Moderate	Severe	Unknown	Total
2000	610	218	47	34	909
2001	689	188	39	31	947
2002	607	167	49	35	858
2003	599	113	15	37	764
2004	583	138	22	33	776
2005	603	133	15	27	778
2006	687	207	52	49	995
2007	708	228	32	47	1015
2008	682	260	52	71	1065
2009	711	260	44	59	1074
2010	732	350	45	95	1222
2011	873	402	62	112	1449
2012	4602	1147	211	389	6349
2013	1010	363	46	141	1560
2014	1232	260	50	52	1594
2015	1273	259	5	111	1648

Appendix O: City of Austin Cruelty to Animals Cases



Planning Unit

Data provided by:	Austin Police Department: Planning Unit
Date delivered:	05/16/2017
Requested by:	Katy Loughney
Compiled by:	Carrie Dickerson
Data requested:	Number of Cruelty to Animal offenses by year for 2009-2016.
Notes:	Provided all results by year reported.
Sources used:	Versadex

AUSTIN POLICE DEPARTMENT DATA DISCLAIMER

1. The data provided are for informational use only and may differ from official APD crime data.
2. APD's crime database is continuously updated, so reports run at different times may produce different results. Care should be taken when comparing against other reports as different data collection methods and different data sources may have been used.
3. The Austin Police Department does not assume any liability for any decision made or action taken or not taken by the recipient in reliance upon any information or data provided.

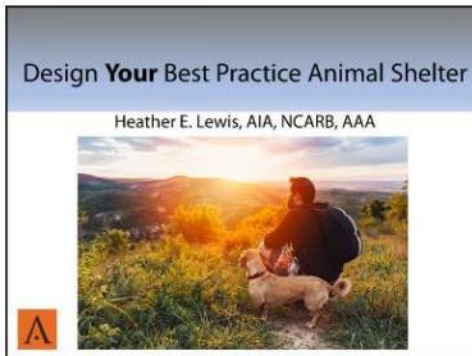
Year Reported	# Cruelty to Animal cases
2009	339
2010	373
2011	485
2012	541
2013	477
2014	415
2015	414
2016	386

Appendix P: APA Donations

Year	Individual	Total
2009	\$151,247	\$322,053
2010	\$212,787	\$268,868
2011	\$731,808	\$981,706
2012	\$1,220,313	\$1,949,377
2013	\$1,146,922	\$3,062,190
2014	\$1,344,337	\$2,231,750
2015	\$1,747,776	\$3,802,294
2016	\$1,765,388	\$3,934,280
Total	\$8,320,579	\$16,552,516

16 Appendix

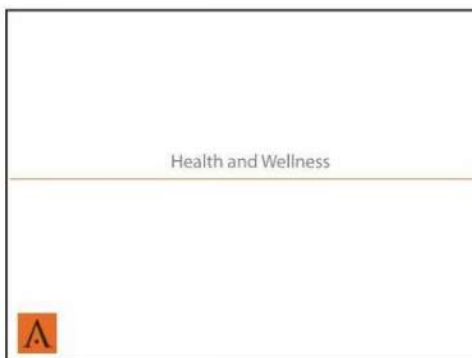
Appendix A: April 27th Workshop Presentation



1



2



3



4



5



6



7



8



9

Simple Math Examples

10 dogs	x	12 days	=	120 dogs in care
8 dogs	x	12 days	=	96 dogs in care
150 s.f. per dog x 24 dogs = 3,600 s.f. x \$500 per s.f. = \$1,800,000 Saved by Reducing Intakes				
10 dogs	x	12 days	=	120 dogs in care
10 dogs	x	10 days	=	100 dogs in care
150 s.f. per dog x 20 dogs = 3,000 s.f. x \$500 per s.f. = \$1,500,000 Saved by Reducing LOS				

10



11



12

Other Good Housing



13

Dog Housing Basics

- Sized appropriately for the dog
- Double Compartment for easy operations and cleaning
- Access to the out of doors
- Enrichments in the housing
- Housing is DURABLE
- Strategies to reduce length of stay

14

Indoor/Indoor Dbl. Compartment



15

Indoor/Outdoor Dbl. Compartment



16

Enrichment via Play



17

Enrichment!



18



19

Fear Free Design



20

Long Lifespan



21

Durability, Ease of Use



22

Durability, Ease of Use



23

Durability, Ease of Use

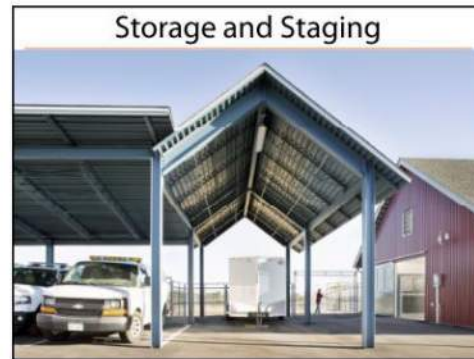


24

Flexibility



25



26



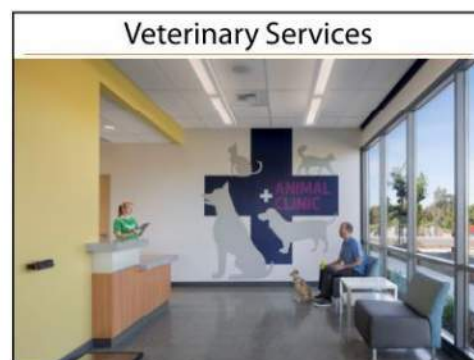
27



28



29



30

Classrooms – Many Uses



31

Pet Food Banks



32

Sustainability and Energy Use Reduction



33

Strategies for Hot Climates

- Indoor/Outdoor Animal Housing
- Passive Solar Concepts
- Air Movement and Shading



34

Shading Structures, Moving Air



35

Shading Structures, Moving Air



36



37



38



39



40

Appendix B: April 28th Community Animal Welfare Best Practice Presentation

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Community Animal Welfare

SARA PIZANO, DVM, MA
TEAM SHELTER USA, LLC, MADDIE'S MILLION PET CHALLENGE, OPEN
DOOR VETERINARY COLLECTIVE

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This presentation is being recorded
and the presentation will be shared
with you as well as the youtube link.

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OVER 115 COMMUNITY & SHELTER ASSESSMENTS

25 states since 2013



Rural, urban, large, small, high/low
poverty rates

Only difference: latitude and
longitude

**CHALLENGES AND SOLUTIONS
ARE UNIVERSAL!**

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ANIMAL ARTS

architecture • animals • people

- Animal Arts exclusively designs animal care facilities across the U.S. and internationally
- 42+ year history of animal care architecture and design
- 66+ design awards for veterinary and animal shelter work
- Creating environments to reduce stress, promote healing and enhance well-being to improve the lives of animals and their people
- Community-centric approach to the design of animal shelters

Heather Lewis, AIA, AAA, NCARB,
Principal and Partner



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CORE RECOMMENDATIONS







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HUMAN ANIMAL SUPPORT SERVICES

by **DIFFICULT PETS ALIVE!**

International coalition of animal services leaders and more than
30 pilot organizations transforming the traditional sheltering
system to serve the entire community in supporting the human-
animal bond

<https://www.humananimalsupportservices.org/>

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**A shelter operating
over its Capacity for Care
loses the ability to provide a
Fear Free environment
for pets and people.**

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PUBLIC POLICY

Framework of organization-public and private

Focus on public and animal safety

Make sure ordinances and laws are in line with Best Practices and not barriers to lifesaving in all municipalities!

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RESPONSIBLE PUBLIC POLICY (examples)

- ❖ No breed specific restrictions or pet limits
- ❖ No stray hold for felines or puppies and **provisions for community cats**
- ❖ Incentive to sterilize/vaccinate prior to reclaim so cheaper than fees/fines
- ❖ Eliminate unnecessary barriers to lifesaving

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COMMUNITY MINDED DISCRETIONARY ENFORCEMENT
Ex: Santa Cruz County Animal Shelter, California

- ❖ Providing assistance instead of citations esp. in underserved areas since lack of access to care more commonly the issue
- ❖ Turning high intake areas into low intake areas (and increase RTO in the field)

Focus on true public and animal safety

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COMMUNITY PROGRAMS & ACCESS TO SERVICES

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TARGETED SPAY/NEUTER DECREASES INTAKE

- Fixed-income pet owners
- High intake areas
- Large breeds
- Community Cats
- Vet shortage/logistics/funding
- Great investment for muni's!

Intake

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TARGETED SPAY NEUTER

- Low-income pet owners (5-10/1000)
- High intake areas
- Large breeds
- TNR

Jacksonville, Florida

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Waco, Texas

Huntsville, Alabama

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Open Door Veterinary Collective

Brand new national training program

Financially sustainable model enhancing access to care

Test hospitals: Toledo, OH and Asheville, NC

Could be for-profit, non-profit, government run clinic

Great blog: <https://www.humananimal-supportservices.org/blog/innovators-working-to-make-veterinary-care-more-accessible/>

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We have a lot of free roaming cats here!

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HURLEY/LEVY CC ARTICLE IN FRONTIERS MARCH 2022

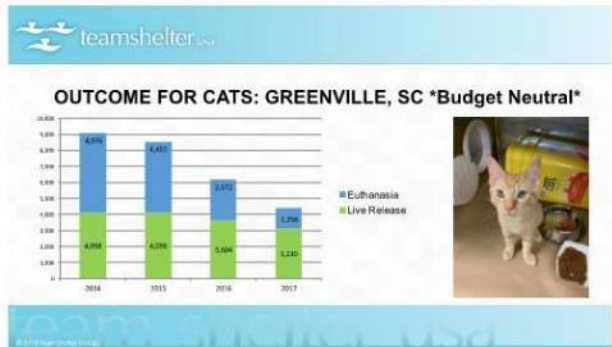
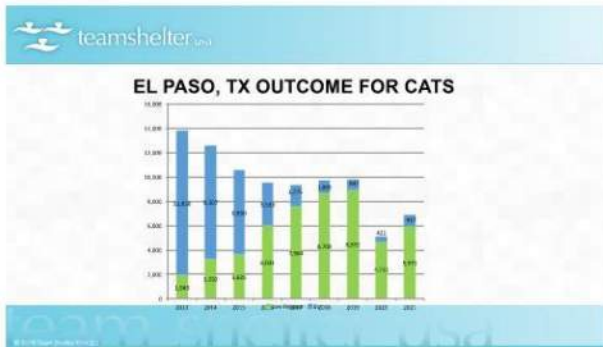
Shelter cat live outcomes: 1,600,000

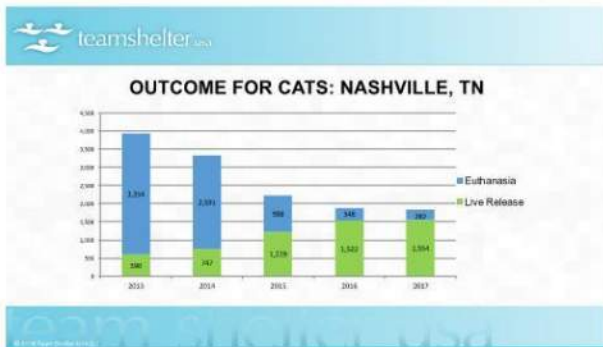
Shelter cat deaths: 364,000

Pet cats with outdoor access: 26,000,000

Unowned free-roaming cats: 55,000,000

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LATEST AND GREATEST RESEARCH AND DATA

<https://youtu.be/9FVHcYT8rgI>
Studies, research, stats

Front. Vet. Sci., 08 March 2022
| <https://doi.org/10.3389/fvets.2022.847081>

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HAYS COUNTY COMMUNITY CAT COALITION (or part of?)

Figure out and pool resources

Hotline for community so doesn't go through enforcement!!

Municipal funding combined with private funding (grants, donations, co-pays, etc.)

Buying cooperatives

Direct path for cat to go to spay/neuter/rabies vax/ear tip and bypass the shelter
(no chips or registration)

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COORDINATED TRIAGE INTAKE: EX: MEMPHIS, TN ANIMAL SERVICES

✓ Helping (more) people and pets in a way other than shelter intake

INTAKE

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MANAGED ADMISSIONS: THE HELP TEAM

ASPCA study found **80%+** pet owners **did not want to surrender** but did not have **access to resources** they needed

How can we help you keep your pet or help place your pet directly into another home?

Fencing, rent deposits, other....

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BRIGHT SPOT: BREVARD SHERIFF'S OFFICE, FLORIDA

Year 1 of Managed Admission helped **80%** of the owners keep or place their pets

No impact to budget or increased staffing

Owner surrender intake
80%

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**BRIGHT SPOT EXAMPLES:
DIRECT PLACEMENT**

Home-home.org

Adoptapet/rehome

Dogsondeployment.org, etc.

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BRIGHT SPOT: JACKSONVILLE, FL
EX: Foster Finder program



of Fosters

456

3774

+728%

Before Program

First Year of Program

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DON'T KITNAP THE KITTENS!



Pasco County, FL **Leave Them Be**
Video is a must watch!

Kittenlady.org

Recognizing which ones need help
and which ones don't

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**SHELTER/RESCUE
POLICIES**

Shortest length of stay possible!



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NON-NEGOTIABLE: ENRICHMENT

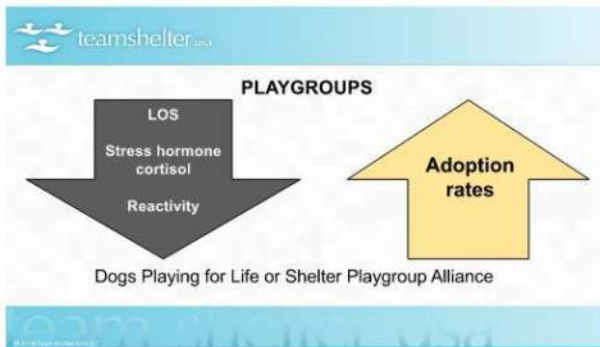
Appropriate housing, sanitation,
options with soft bedding

Kennel/cage enrichment

Human contact, toys to prevent
boredom




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MEDICAL CARE AND DISEASE SURVEILLANCE

- Veterinarian on record if not in-house
- Daily rounds
- Standard Protocols with decision tree
- MOUs with local veterinarians

AAFP 2020 Guidelines

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SPAY NEUTER

Consistent goal: All pets are sterilized before leaving the shelter if large enough for surgery

MOU with veterinarians, always looking for options

Foster and foster to adopt, leaving on transport or rescue transport in the shortest length of stay is the most important while pending spay/neuter

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OPEN CONVERSATIONAL ADOPTIONS

- ✓ Trusting and engaging the community as partners
- ✓ Counsel and educate pre and post adoption most important
- ✓ Easy process, convenient hours, fee waived
- ✓ Staff, volunteers, rescue, **first come/first serve!**



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RESCUE/TRANSPORT FIRST COME/FIRST SERVE

Mutually beneficial partnership, open and kind communication

Utilizing shelter software so communication will be as streamlined as possible

Other potential tools: Doobert Fosterspace, Maddie's Pet Assistant, etc.

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HAYS COUNTY GOALS AND FEASIBILITY STUDY RECOMMENDATIONS




- What to build?
- Where to build?
- What services?
- How can we serve underserved people/pets and pet owners?

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HAYS COUNTY GOALS AND FEASIBILITY STUDY RECOMMENDATIONS

Report early June

Presentation to Hays Co. Com.
Court and Kyle City Council
likely June 21

**COMMUNITY SUPPORT/INPUT
NEEDED!!**




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REFERENCES AND RESOURCES

- *Best Practice Playbook for Animal Shelters* (Amazon, Apple, Kobo)
- Association of Shelter Veterinarians (sheltervet.com)
- Fear Free Sheltering (fearfree Sheltering.com)
- Humananimalsupportservices.org
- Dogs Playing for Life (Dogsplayingforlife.com) or Shelter Playgroup Alliance (shelterdogplay.org)
- National Animal Control Association (naca.net)
- *Adopters Welcome* (animalsheltering.org)
- Open Door Veterinary Collective (opendoorconsults.org)

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