



MEMORANDUM

To: Mayor and City Council

From: Danny Barton, Chief of Police

Date: February 9, 2021

Reference: Animal Tethering Ordinance

Introduction: Over the past few years, Coppel Animal Services has received calls from concerned citizens regarding the way some residents tether dogs on their private property. These same residents have expressed a desire to consider a Tethering Ordinance for the City of Coppel.

Background: The tethering calls started in about late 2016 or early 2017. Animal Services officers responded to these calls regarding a tethered dog. Each time, contact was made, or a notice was left on the door and the owner would contact the officer. The dog's owner was always compliant in registering and allowed officers to inspect the dog and area around the dog to ensure compliance with the State tethering laws. Since the most recent calls, no violations have ever been noted by Animal Services.

The City of Coppel does not have a city ordinance regarding dog tethering. Currently, the city follows state law, which is the minimum requirement. During the conversation with the concerned citizens, they referenced other cities having tethering laws. The Texas State law is listed below as well as several area cities who have a tethering ordinance:

Texas State Law:

Sec. 821.077. UNLAWFUL RESTRAINT OF DOG. (a) An owner may not leave a dog outside and unattended by use of a

restraint that unreasonably limits the dog's movement:

- (1) between the hours of 10 p.m. and 6 a.m.;
- (2) within 500 feet of the premises of a school; or
- (3) in the case of extreme weather conditions, including conditions in which:
 - (A) the actual or effective outdoor temperature is below 32 degrees Fahrenheit;
 - (B) a heat advisory has been issued by a 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) In this section, a restraint unreasonably limits a dog's movement if the 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

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(B) 10 feet;

(3) is in an unsafe condition; or

(4) causes injury to the dog.

Added by Acts 2007, 80th Leg., R.S., Ch. 674 (H.B. 1411), Sec. 1, eff. September 1, 2007.

City of Dallas

SEC. 7-4.7. TETHERED DOGS.

An owner of a dog may only tether a dog if the dog is in the owner's immediate possession and accompanied by the owner, as required by Section 7-3.1 of this chapter. In addition, the owner of a tethered dog shall:

(1) not allow the dog to be tethered in any manner or by any method that allows the dog to become entangled or injured;

(2) use a properly fitted harness or collar that is specifically designed for the dog; and

(3) attach the tethering device to the dog's harness or collar and not directly to the dog's neck. (Ord. Nos. 26024; 27250; 30687, eff. 2/1/18)

City of Irving Animal Services

Sec. 6-4. - Animal safety.

(a)Animals in vehicles. It shall be unlawful to leave an animal in a standing or parked vehicle without providing the animal with adequate air and protection from heat or cold. An animal left under such conditions may be impounded. (b)Tethered dogs. It shall be unlawful for an owner or harbor to allow a dog or other animal to be tethered to a stationary object 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 services manager. The term "unhealthy situation" shall include, but not be limited to, the following:(1)To tether any animal in such a manner as to cause the animal injury;(2)To tether any animal in such a manner as to not permit the animal access to shelter, food, or water. It shall be an affirmative defense to this subsection that the owner or harbor was in the same location as the dog or other animal while the animal was tethered;(3)To tether any animal in such a manner as to permit the animal to leave the premises owned, leased, or occupied by the dog's owner or harbor or to permit the animal access on any public right-of-way;(4)To tether any animal in such a manner as to permit the animal to leave the owner or harbors property;(5)To allow any tethered animal to become entangled; or(6)To use choke type collars to tether any animal.

(Ord. No. 8597, § 1, 1-26-06; Ord. No. 8934, § 2, 4-4-08)

Legal: No review done by counsel

Fiscal Impact: None.