



MEMORANDUM

To: Mayor and City Council

From: Danny Barton, Chief of Police

Date: February 23, 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: Concerned citizens began reaching out to Animal Services and the Coppel Police Department in 2016 requesting a tethering ordinance be enacted by the City of Coppel. A particular pet was the focus of these requests. Animal Services followed up on each complaint and found no violations.

Concerns related to tethering of dogs are the potential for injury to the dog by the tether itself, lack of the dog's ability to defend itself if attacked by another animal, neglect which can lead to physical and/or psychological harm.

An FAQ related to tethering of dogs from the American Humane Society has been attached to this memo.

The City of Coppel does not have a city ordinance regarding dog tethering. Currently, the city follows state law, which is the minimum requirement. The State Law is Health and Safety Code, Title 10, Health and Safety of Animals, Chapter 821.077

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
 - (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.

Sec. 821.078. EXCEPTIONS. Section 821.077 does not apply to:

- (1) a dog restrained to a running line, pulley, or trolley system and that is not restrained to the running line, pulley, or trolley system by means of a pinch-type, prong-type, choke-type, or improperly fitted collar;
- (2) a dog restrained in compliance with the requirements of a camping or recreational area as defined by a federal, state, or local authority or jurisdiction;
- (3) a dog restrained for a reasonable period, not to exceed three hours in a 24-hour period, and no longer than is necessary for the owner to complete a temporary task that requires the dog to be restrained;
- (4) a dog restrained while the owner is engaged in, or actively training for, an activity that is conducted pursuant to a valid license issued by this state if the activity for which the license is issued is associated with the use or presence of a dog;
- (5) a dog restrained while the owner is engaged in conduct directly related to the business of shepherding or herding cattle or livestock; or
- (6) a dog restrained while the owner is engaged in conduct directly related to the business of cultivating agricultural products, if the restraint is reasonably necessary for the safety of the dog.

Furthermore, The City of Coppell City Ordinance Chapter 9, Sec. 9-1-23 provides additional animal protections that could apply to this discussion. This is not a complete list of all laws related to the neglect and abuse of animals.

Sec. 9-1-23. - Animal care.

A. The owner or person who has custody or control of any animal shall provide:

- 1. Sufficient nutritious and wholesome food, served to the animal in clean containers, to maintain the animal in good health;
- 2. Clean and wholesome water, served to the animal in a clean container, such water to be available to the animal at all times;
- 3. Adequate shelter and protection from the weather at all times; and

4. Veterinarian care as needed to prevent suffering.

B. It shall be unlawful for an owner or other person having custody or control of any animal to abandon such animal

C. No person other than a licensed veterinarian shall crop a dog's ears.

D. The operator of any motor vehicle which strikes or injures a domesticated animal shall stop and immediately render aid and report such incident to the animal services officer and the police.

E. It shall be unlawful for any person to beat, starve or overwork, or to otherwise abuse any animal.

(Ord. No. 95687; Ord. No. 96777)

Legal: No review done by legal counsel

Fiscal Impact: None.

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Chaining and tethering dogs FAQ

Have you seen chained dogs in your neighborhood and wondered what to do? Here are some common questions about chaining and tethering, including how you can help:

What is meant by "chaining" or "tethering" dogs?

Generally speaking, the terms “chaining” and “tethering” refer to the practice of fastening a dog to a stationary object and leaving them unattended. The term “chaining” tends to refer to situations where thick, heavy chains are used. “Tethering” is more often referred to partial restraint on a rope, lighter chain or pulley, which is the more prevalent form of tethering. These terms are not meant to refer to an animal being walked on a leash or cases of supervised, temporary tethering while an owner is present.

Why do people tether their dogs?

People tether their dogs for a variety of reasons. Most people who do this are unaware of the harm it can cause to their dogs. Social norms of pet-keeping have made tethering unpopular, so it is declining as a practice, but some reasons people do it include:

- The dog is a repeat escapee, and the owner has run out of ideas to safely confine the dog. Sometimes this is the reason dogs are kept on heavier chains—they have chewed through or otherwise escaped lighter tethers and the owner is trying to keep them from getting loose.
- The owner is trying to protect their dog from something on the other side of their fence (kids, another dog, etc.) by keeping the dog in one area in the yard.
- The owner's fence is damaged, or the owner doesn't have a fenced yard.
- The dog's behavior makes keeping them indoors challenging and the owner doesn't know how to correct the behavior.
- The landlord may not allow the pet owner to keep the dog indoors or install a fence.
- The pet owner comes from a family that always tethered dogs and may not realize there are better options.

Why is tethering bad for dogs?

Dogs are naturally social beings who need interaction with humans and/or other animals. Intensive confinement or long-term restraint can severely damage their physical and psychological well-being. An otherwise friendly and docile dog, when kept continuously chained or intensively confined in any way, becomes neurotic, unhappy, anxious and often aggressive.

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It is common for continuously tethered dogs to endure physical ailments as a result of being continuously tethered. Their necks can become raw and sore and their collars can painfully grow into their skin. They are vulnerable to insect bites and parasites and are at high risk of entanglement, strangulation and harassment or attacks by other dogs or people.

Tethered dogs may also suffer from irregular feedings, overturned water bowls, inadequate veterinary care and extreme temperatures. During snow storms, these dogs often have no access to shelter. During periods of extreme heat, they may not receive adequate water or protection from the sun. Owners who chain their dogs are less likely to clean the area of confinement, causing the dogs to eat and sleep in an area contaminated with urine and feces. What's more, because their often neurotic behavior makes them difficult to approach, chained dogs are rarely given even minimal affection. Tethered dogs may become "part of the scenery" and can be easily ignored by their owners.

How does tethering dogs pose a danger to humans?

Tethering is not only bad for dogs—it is a high-risk factor in serious dog bites and attacks. Dogs unable to retreat from perceived or real threats can act out aggressively when approached. Dogs tethered for long periods can become highly aggressive. Dogs feel naturally protective of their territory; when confronted with a perceived threat, they respond according to their fight-or-flight instinct. A tied dog, unable to take flight, resorts to fight, attacking any unfamiliar animal or person who unwittingly wanders into his or her territory.

Tragically, the victims of such attacks are often children who approach the dog unaware of the risks. Furthermore, tethered dogs who finally do get loose from their chains may remain aggressive and is likely to chase and attack unsuspecting passersby and pets because they have developed severe behavior problems from long-term, intensive confinement.

It is important for people with tethered dogs to understand these risks.

How should dogs be confined and restrained safely?

The Humane Society of the United States believes that dogs are part of the family. We recommend that all dogs live indoors, receive regular exercise and are provided with adequate attention, food, water and veterinary care. Dogs living outdoors part or all of the time should be provided with a safe, escape-proof enclosure with proper shelter, where they may express natural behaviors.

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Should tethering ever be allowed?

To become well-adjusted companion animals, dogs should interact regularly with people and other animals and should receive regular exercise. Sometimes situations with tethered dogs can be improved incrementally, such as by bringing the dog indoors at night at least, so advocates should be open to options. Placing an animal on a restraint can be acceptable if it is done for a short period or while supervised and if the tether is secured in such a way that it cannot become entangled with other objects. Collars should be comfortable and fitted properly; choke chains should never be used. Keeping an animal tethered for long periods or during extreme weather and natural disasters is never acceptable.

What about attaching a dog's leash to a "pulley run"?

Attaching a dog's leash to a long line—such as a clothesline or a manufactured device known as a pulley run—and letting the animal have a larger area in which to explore is preferable to tethering the dog to a stationary object. However, many of the same risks associated with tethering still apply, including hanging, attacks on or by other animals, lack of socialization and safety.