

The Animal Shelter Commission proposed revisions for discussion purposes. They will make recommendations to City staff for approval by the Dallas City Council.

1/3/08

Proposed Changes to Dallas City Code Chapter 7 - Animals

Tethering and Proper Confinement

- § Amend Sec. 7-3.1 – Proper Restraint – to eliminate “tether” as a acceptable means of restraint unless the owner is present or absent only for a short period necessary for the owner to complete a temporary task.
- § Amend Sec. 7-4.7 – Tethering Dogs – to require that the dog be properly fitted and wearing a collar or harness of leather or nylon and the tether used meets certain requirements for length, weight and strength.
- § Add new Sec. 7-4.9 – Confinement Requirements for Dogs Kept Outdoors – to set standards for confining a dog outdoors to include minimum pen size and type of shelter.

SEC. 7-3.1. PROPER RESTRAINT.

(a) An owner of an animal commits an offense if he fails to restrain the animal at all times in a fenced yard, in an enclosed pen or structure, or by a tether or leash.

(b) No animal may be restrained by a tether or leash unless the animal is in the immediate possession of and accompanied by the animal's owner.

(c) It is a defense to prosecution under Subsection (a) that the animal was:

(1) a dog in an off-leash site established under Section 32-6.1 of this code; or

(2) a feral cat participating in a trap, neuter, and return program approved by the director.

(d) It is a defense to prosecution under Subsection (b) that the animal was a dog tethered in accordance with the requirements of Section 7-4.7 for a period no longer than necessary for the owner to complete a temporary task that requires the dog to be restrained for a reasonable period of time.

SEC. 7-4.7. TETHERED DOGS.

(a) An owner of a dog commits an offense if he tethers the dog or allows the dog to be tethered in any manner or by any method that:

- (1) allows the dog to leave the premises owned, leased, or occupied by the dog's owner;
- (2) allows the dog to become entangled; ~~or~~
- (3) does not allow the dog access to food, water, and appropriate shelter if outside; or
- (4) does not meet the requirements for tethering a dog set forth in Subsection (b).

(b) The following requirements shall apply to a dog tethered within the city:

- (1) the dog shall be properly fitted with and wearing a harness or collar made of leather or nylon;
- (2) the rope, chain, cord or other device used to tether the dog shall be attached to the dog's harness or collar and not directly to the dog's neck; and
- (3) the rope, chain, cord or other device used to tether the dog shall be a minimum of 10 feet in length and shall be of sufficient strength and material to permit the dog from escaping.

SEC. 7-4.9. CONFINEMENT REQUIREMENTS FOR DOGS KEPT OUTDOORS.

(a) A fenced yard or other outdoor pen or structure 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:

(1) have at least 150 square feet of space for each dog six months of age or older;

(2) be capable of preventing the escape of the dog; and

(3) provide the dog access to the inside of a building or contain a doghouse or shelter described in Subsection (b).

(b) The doghouse or shelter required in Subsection (a) shall:

(1) have a weatherproof top, bottom and sides, and an opening on no more than one side that allows the dog to remain dry and provides adequate shade during daylight hours to allow the dog to protect itself in order to prevent overheating or discomfort to the dog;

(2) have a floor that is level and dry;

(3) be constructed with material that protects the dog from injury, and is free from cracks, depressions and rough areas where insects, parasites and other pests might be established and maintained;

(4) be of adequate size to allow the dog to stand erect with the dog's head up, to turn around easily, and to sit and lie down in a comfortable and normal position;

(5) have sufficient clean and dry bedding material or other means of protection from weather when the weather is colder than what a dog of that breed and condition will comfortably tolerate and that will allow the dog to retain body heat;

(6) contain a suitable means for the prompt elimination of excess liquid;

(7) be structurally sound and maintained in good repair to protect the dog from injury; and

(8) allow the dog easy access in and out.