

ANIMAL SERVICES ADVISORY COMMITTEE

October 23, 2007

6:30 P.M.

MINUTES

Members Present: Pat Jackson, Chairperson, Animal Shelter Representative
Gene Carey, Mayor, Council Representative
Martin Newcomb, DVM, Veterinarian Representative
Cynthia Lombardo, Citizen at Large
Judy Cromwell, Citizen at Large
Pam Henricks, DVM, Citizen at Large
Nick Rudolph, Animal Welfare Organization Representative

City Staff Present: Sherry Harper, Health & Code Manager
Robin Mangum, Animal Services Field Supervisor
Rod Russell, Planning & Zoning Representative
Deborah Dierks, Secretary

Citizen in Attendance: Ms. Shannon Morgan

Item #1: Mr. Jackson called the meeting to order at 6:30 p.m. All seven (7) Committee members were present, constituting a quorum.

Item #2: Minutes from the May 23, 2007 meeting were approved by a vote of 7-0.

Item #3: Mr. Jackson briefly reviewed the information which had been presented and discussed at the May 23, 2007 committee meeting relating to tethering dogs in the city. The committee, at their May 23, 2007 meeting, had decided to await the final outcome of state House Bill 1411 before determining what revisions to the City of Lewisville ordinances may need to be recommended to the City Council.

H.B. 1411 was enacted by the state legislature as Subchapter D. Chapter 821, Texas Health and Safety Code effective September 1, 2007. The new law makes it unlawful to tether a dog: During specific periods of the day; or under certain environmental conditions; or under unsafe conditions; or by use of certain types of collars. After House Bill 1411 was enacted into law, staff sought assistance from the City Attorney's Office in developing an ordinance draft to address the tethering of dogs in the city for consideration by the Animal Services Advisory Committee.

The draft of the proposed ordinance was included as Attachment "C" for review and consideration. The proposed ordinance requires that unattended tethered dogs be confined within an entirely enclosed yard or other enclosed area. The purpose for this requirement is to help protect tethered dogs from attacks by stray dogs or other animals, and to prevent unauthorized access to the dog's area by people, particularly young children who may unwittingly enter the area and become entangled in the tether and suffer serious injury or death. If the proposed ordinance is enacted, the current City of Lewisville Code of Ordinances Section 3-64 relating to the tying of animals in general, would be deleted; the revised ordinance would only address the unlawful tethering of dogs. The tethering or tying of other animals such as goats or horses would not be address by the proposed ordinance, since such incidents are a rare occurrence in the city today.

Mr. Jackson then opened the floor for discussion of the proposed ordinance. Dr. Newcomb asked if we could substitute the term "animal" for "dog" in the ordinance and if it would also be applicable to dogs on a leash in the back of pickup trucks. Mr. Jackson said that staff would consult with the Assistant City Attorney about those points.

General discussion continued on how the proposed ordinance might be written to address the following issues:

Mayor Carey expressed concern that the police would have to spend too much time on Animal Service calls under the new state law. He wanted to be assured that Animal Services had the staffing to enforce the proposed ordinance.

Dr. Newcomb suggested possibly using surveillance type cameras to record evidence relating to unlawful tethering. This type of activity would need to be discussed with the City Attorney since constitutional issues may be involved.

Mayor Carey asked about the estimated time frame to enact changes to the ordinance. Mr. Jackson said that he believed that a draft of the proposed ordinance revisions could be completed in a couple of weeks for review by the City Attorney's office; they would then be presented to the committee for final review and approval.

Dr. Henricks asked if citizens will have to call Animal Services to report tethered dogs. Mr. Jackson stated that complaints would be addressed when reported to Animal Services and that after hour calls to the police reporting tethering violations should be referred to Animal Services the following business day, unless the dog is in a situation where it may suffer serious injury or die without immediate intervention.

Nick Rudolph asked if calls regarding tethered dogs in inhumane situations can be addressed through the Animal Services department. Mr. Jackson explained that such situations can be address by Animal Services under the state Health and Safety code, which does not involve filing criminal charges; if a situation is serious enough to warrant criminal charges being filed, the police would need to be involved to pursue those charges under the state penal codes.

Item #4: Mr. Jackson presented a Power Point summary of state legislative changes relating to animals, including legislation relating to: Dangerous dogs, tethering dogs, and animal control officer training requirements.

Item #5: Mr. Jackson presented a Power Point summary about the past year's accomplishments at Animal Services and announced events for FY 2007-2008, including:

The Lewisville Animal Shelter is now participating in the Science Diet feeding program, whereby Science Diet provides the food for the shelter animals at no charge; Animal Services only pays for shipping charges. Adopters also receive a 4-5 pound bag of Science Diet food in their adoption kit when they adopt a dog or cat from the Lewisville shelter. Science Diet is considered to be a higher quality of food for the animals than what has previously been fed at the shelter.

Animal Services began distributing an informational DVD about caring for and training dogs and cats to adopters in their adoption kits. The DVD's have a suggested retail price of \$29.00, but Animal Services is able to purchase them for 99 cents. Nick Rudolph was familiar with the videos, and commented that they are very well received and helpful to the public.

Animal Services was approved funding for a feasibility study to be conducted this fiscal year to help determine the needs of a new animal shelter. The mayor commented that he would like to see the department move quickly on this matter.

Animal Services continues to receive a lot of calls about wildlife in or near residential areas. Most calls report concerns about coyotes, bobcats, and snakes in or near residential areas.

The County Animal Disaster Response Team is still working on the details of its disaster response plan. Lewisville Animal Services has been the only city animal services agency attending the County meetings. Staff intends to move forward with the City's animal disaster response plan once the county plan has been finalized, so they will know what kind of support will be available to the City of Lewisville.

There were no confirmed rabies cases in Lewisville this year and only one (1) confirmed case of the West Nile virus. Denton County continues to experience among the highest rate of rabies cases in the North Texas regional area.

Certificates of Appointment were presented to newly appointed and reappointed Committee members.

Item #6: An election of Committee officers was conducted.

Mayor Carey nominated Pat Jackson for Chairperson.
The nomination was seconded by Dr. Henricks.
Pat Jackson was elected Chairperson of the Committee.

Judy Cromwell nominated Dr. Newcomb for Vice-Chairperson.
The nomination was seconded by Mayor Carey.
Dr. Newcomb was elected Vice-Chairperson of the Committee.

Item #7: Mr. Jackson informed the Committee that they would be notified of the date and location for the next meeting.

Item #8: The meeting was adjourned at 7:54 p.m.

Respectfully submitted,

**THESE MINUTES ARE APPROVED BY
THE CITY OF LEWISVILLE ANIMAL SERVICES
ADVISORY COMMITTEE**

Deborah Dierks
Secretary

PAT JACKSON, CHAIRPERSON

DR. NEWCOMB, VICE-CHAIRPERSON