



Arlington Animal Services Advisory Board Meeting Agenda

3/14/07
12:00 Noon

Board Members

- x Diana Smith, Place 1
- x B.J. Hall, Place 2
- x Suzanne Berk, Place 3
- Erin Miller, DVM, Place 4
- x Lisa Allen, Place 5
- x Jayme Cole, Place 6
- Luis Castillo, Place 7
- x Jay Sabatucci, Place 8, Chair
- x Mike Bass, Place 9

Staff

Chris Huff

Minutes

Chris Huff

Visitors and Guests

Agenda Item	Discussion	Action Taken	Follow Up
Call to Order Time 12:09 p.m.			
Roll Call / Introductions			
Approval of Minutes from Jan 10, 2007-J. Sabatucci	Mike Bass, 1 st Jayme Cole, 2 nd		
Report on Animal Essay Contest – Chris Huff	546 Essay's were received by Animal Services.	Time Warner recording scheduled for 3/15/07. Each student received a DVD of their school visit.	Questions will remain the same next year.

Current Amount in Shelter Fund – Mike Bass Last count - \$453,788	\$512,132.90	Funds will be transferred to Shelter Construction Account.	
New Shelter Update - Mike Bass	Pre-construction meeting set for 4/10/07.	Construction company has three other projects. Completion date set for May 2008.	
Update on Shelter Opening Event and Marketing Plan – BJ Hall	Business Plan due. Easter Parade?	Groundbreaking ceremony is in the planning stages.	B.J. will check standards. Jay Sabatucci motioned to approve the Opening Event. Lisa Allen, 1 st Jayme Cole, 2 nd
Update of status of proposed City License fee structure increase of \$2 to cover emergency medical for licensed animals.-Mike Bass	Table		
Update on Barking Dog Collar Program – Mike Bass	Table		
Has Entire Board Viewed Open Meetings Act? – Chris Huff	Everyone will view before next meeting.		
Update from Board email – J. Sabatucci	No emails received.		
HB 1411, Unlawful Restraint of Dogs Act – Mike Bass (Bill attached to agenda)	Reviewed by Mike Bass.		
Update of proposed tethering ordinance-Luis Castillo	Table		
Board Goals Report-Luis Castillo	Table		

Status of Spay/Neuter Program at Shelter, -Mike Bass	Shelter staff working to gather information.		
Report on increased number of bite report from medical organizations – Chris Huff	February of 2007 we received 45 bite complaints compared to 32 in February 2006.		
Change in rescue policy – Chris Huff	Chris Huff requested a 24 hour for rescue groups. Rescues currently have a 72 hour wait.		
Other Old Business	NA		
New Business? 1. New Calendar out! Chris Huff would like each board member to participate in events.	New calendar was distributed. Meeting was held in February for Field Workers and an extra citizen class was held.	Animal Services Center staff will visit five local elementary schools to present Animal Awareness Presentations.	
Announcements Shelter Events?	Adoptathon Weekend is May 5, 2007.		
Next Meeting Date Wed, May 17, 2007 12:00 Noon			
Adjourn Time 1:14 p.m.	Jayme Cole, 1 st Suzanne Berk, 2 nd		

80R5371 JLL-D

By: West

H.B. No. 1411

A BILL TO BE ENTITLED

AN ACT

relating to the unlawful restraint of dogs; providing penalties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Chapter 821, Health and Safety Code, is amended by adding Subchapter D to read as follows:

SUBCHAPTER D. UNLAWFUL RESTRAINT OF DOG

Sec. 821.076. DEFINITIONS. In this subchapter:

(1) "Collar" means any collar constructed of nylon, leather, or similar material, specifically designed to be used for a dog.

(2) "Officer" means a peace officer or animal control officer.

(3) "Owner" means a person who owns or has custody or control of a dog.

(4) "Properly fitted" means, with respect to a collar, a collar that measures the circumference of a dog's neck plus at least one inch.

(5) "Restraint" means a chain, rope, tether, leash, cable, or other device that attaches a dog to a stationary object or trolley system.

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;

(C) the Texas Commission on Environmental Quality has forecast that ozone levels will reach or exceed a target level for the jurisdiction or has issued another unhealthy or hazardous air quality forecast or warning for the jurisdiction;

(D) a hurricane, tropical storm, or tornado watch or warning has been issued for the jurisdiction by the National Weather Service; or

(E) any combination of these factors.

(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 lesser 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 or unsanitary condition; or

(4) causes injury to the dog.

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 fitting 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;

(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; or

(7) a dangerous dog, as defined under Subchapter D, Chapter 822, restrained no longer than necessary to ensure the immediate safety of people or other animals.

Sec. 821.079. PENALTY. (a) A person commits an offense if the person knowingly violates this subchapter.

(b) A peace officer who has probable cause to believe that an owner is violating this subchapter shall provide the owner with a written statement of that fact. The statement must be signed by the officer and plainly state the date on which and the time at which the statement is provided to the owner.

(c) A person commits an offense if the person is provided a statement described by Subsection (a) and fails to comply with this subchapter within 24 hours of the time the owner is provided the statement. An offense under this subsection is a Class C misdemeanor.

(d) A person commits an offense if the person violates this subchapter and previously has been convicted of an offense under this subchapter. An offense under this subsection is a Class B misdemeanor.

(e) If a person fails to comply with this subchapter with respect to more than one dog, the person's conduct with respect to each dog constitutes a separate offense.

(f) If conduct constituting an offense under this section also constitutes an offense under Section 49.09, Penal Code, the actor may be prosecuted under this section or Section 49.09, Penal Code.

Sec. 821.080. HAND-HELD LEASHES. This subchapter does not prohibit a person from walking a dog with a hand-held leash.

SECTION 2. (a) The change in law made by this Act applies only to an offense committed on or after September 1, 2007.

(b) An offense committed before September 1, 2007, is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before September 1, 2007, if any element of the offense was committed before that date.

SECTION 3. This Act takes effect September 1, 2007.

Action Item	Due Date	Committee Chair

