

The City of Woodcreek

IN THE MIDST OF THE TEXAS HILL COUNTRY

Item to Forward to City Council: (Select one box)

- Report / Recommendation to Council Request for Item to be Considered by Council

Advisory Group Sending Report/Recommendation or Request to City Council: (Select one box)

- Comprehensive Plan Advisory Work Group Hotel Occupancy Tax (H.O.T.) Committee
 Ordinance Review Committee Parks and Recreation Board
 Planning and Zoning Commission Platinum Roads Panel
 Tree Board Other: _____

Meeting Date Advisory Group Voted to Reach Out to Council: 10/03/2023

Subject of Report/Recommendation OR Request for Item to be Considered:

Evaluation of Electric Fences as a form of restraint for dog owners in the City of Woodcreek

comparing Hays County Animal Regulations and Woodcreek Ordinances 156.030, 156.057, 90.01 and 90.05

~ FOR CITY HALL STAFF USE ONLY ~

Date Original Received at City Hall:	
Received by (City Staff Member- PRINT):	
Date Reviewed/Signed by City Manager:	
Date of Next City Council Meeting:	

SUMMARY / HISTORY

The City of Woodcreek's current Ordinance:

Section 90.05(A) under Chapter 90, states: "Every dog shall be kept under the direct physical control of an owner or handler or shall be physically restrained from leaving the premises of the owner or handler of such dog. 90.01 defines "Running at Large. Not under the direct physical control of the owner or handler by leash, cord, chain, or similar direct physical control and not being kept physically restrained from leaving the premises of the owner."

Hays County Sixth Amended Animal Control Ordinance No. states:

"Section 2.17. Restraint. An animal shall be deemed to be under restraint if it is: a) tied in such a way as to prevent it from leaving or extending past the owner's premises/property and from being within ten (10) feet of any public right-of-way; b) totally enclosed in a fence constructed in such a way as to prevent it from leaving the owner's premises. The use of a wireless fence which transmits either a high frequency sound or a pulse stimulus shock and that is intended to train the dog to stay on the premises will not be considered a means of restraint; or c) accompanied by a responsible person who is controlling it on a leash.

Section 2.19. Running At Large. Not completely confined by a building, wall, or fence of sufficient strength or construction to restrain the animal completely to the owner's property except when a dog subject to these regulations is under the direct supervision of the owner and is: a) on a leash; b) held in the hands/arms of the owner or within the limits of the owner's private property and is obedient to that owner's verbal commands; c) within an automobile or vehicle of its owners and properly restrained; or d) participating in a field trial, dog show, or obedience classes.

Section 2.20. Secure Enclosure. A fenced area or structure that is: a) locked; b) capable of preventing the entry of the general public including children; c) capable of preventing the escape or release of a dangerous dog; d) clearly marked as containing a dangerous dog; and e) conforms to the requirements for enclosures established by the Animal Control Authority.

Texas Local Government Code 250.009 has several regulations, including "Electric fences are prohibited on property that is designated by a Municipality or County for residential use."

RECOMMENDATION:

The County has a larger definition of "running at large" than the City of Woodcreek, but the City is in alignment with County regulations.

The Ordinance Review Committee does not see where a direct change to our Ordinances is required, but it may be wise for Staff to be aware that the use of invisible fences does not constitute control of the dog/pet and that steps should be taken to assure that the animal stays on the property.

Submitted by: _____
PRINTED NAME of Chairperson

Submitted by: _____
SIGNATURE of Chairperson

Date of Submission: _____

City Manager: _____
(Signature)