

# **City Code Chapter 5 Amendments**



**City Council A Session – Item #4  
December 5, 2024**

**Presented by: Michael Shannon, Interim Director  
Animal Care Services**

# Background

## CCR Submitted by Council District 7 on May 2, 2024

- San Antonio is experiencing a high number of roaming and stray animals, primarily due to irresponsible pet ownership and a lack of knowledge of the law.
- Request:
  - 1) Increase fines for repeat offenders for roaming dog violations
  - 2) Sterilization of pets found free of restraint
  - 3) Implement a pseudonym program to protect the identity of people filing Dangerous Dog affidavits

## CCR Presented to Governance Committee on June 26, 2024 and Public Safety Committee on October 15, 2024

# Fines for Repeat Offenders

## Current Chapter 5 Code Minimum Fines – Sec. 5-21(a)

- \$100 first offense
- \$200 second offense
- \$300 third and subsequent offense

## Proposed Code Changes

- \$100 first offense
- \$500 second offense
- \$750 third and subsequent offense

# Fines for Dog Bites

## Current Minimum Fines for “Failure to Prevent Bite” – Sec. 5-150(3)

- \$100 first offense
- \$200 second offense
- \$300 third and subsequent offense

## Proposed Code Changes

- \$1,000 first offense
- \$1,500 second offense
- \$2,000 third and subsequent offense

# Sterilization of Dogs Found Free of Restraint

## Current Process

- Pet owners are issued a sterilization order if their animal is free of restraint or for bite cases.
  - ACS offers sterilization for on-campus reclaim of pet but does not require before reclaim.
- Sterilization orders require pet owner to sterilize pet within 30 days.
- ACS issues civil and criminal citations to pet owners that do not complete their sterilization agreement.

# Current City Code Chapter 5

## Sec. 5-150. Animal Nuisances; Sterilization Required for Dogs Free of Restraint

“...Dogs found to be free of restraint **shall be subject to mandatory sterilization** at the owner's expense **within thirty (30) days** of notification of the violation”

## Sec. 5-156. Return of Captured Animal To Owner

“Upon impound of an intact dog or cat found at large, the department **shall conditionally release** the dog or cat with the requirement that the owner sterilize the dog or cat within thirty (30) days from the date of the conditional release.”

# Sterilization Orders

Fiscal Year	Total Sterilization Orders Issued	Followed Up		Does Not Qualify	Follow Up Resulted in Citation	Sterilized	
		Count	Percentage			Count	Percentage
2022	1,421	459	32%	58	243	158	11%
2023	1,902	493	26%	102	290	101	5%
2024	1,825	1,268	69%	366	687	215	12%

# Sterilization of Roaming Dogs

## Proposed Code Changes

- Amend Sec. 5-150, 5-156, and 5-160 to allow ACS to sterilize pets found free of restraint **PRIOR** to reclaim by owner
- ACS still maintains discretion to issue sterilization orders if it is not feasible to sterilize before returning to owner (e.g., by officers in the field)

# Proposed Changes to City Code Chapter 5

## Sec. 5-150. Animal Nuisances; Sterilization Required for Dogs Free of Restraint

“...Dogs found to be free of restraint shall be subject to mandatory sterilization. The department shall either sterilize the dog prior to reclamation by the owner or shall require the owner to sterilize the dog ~~at the owner's expense~~ within thirty (30) day of notification of the violation at the owner's expense;”

## Sec. 5-156. Return of Captured Animal To Owner

“Upon impound of an intact dog or cat found at large, the department may, at the discretion of the director or his designee, ~~shall~~ conditionally release the dog or cat with the requirement that the owner sterilize the dog or cat within thirty (30) days from the date of the conditional release...”

# FY 2024 Returns to Owner (RTO)

Total Pets Returned to Owner	7,037
Cats	(791)
Not Eligible for Surgery	(2,436)
Already Sterilized	(1,385)
<b>Total Unsterilized Dogs Returned to Owner</b>	<b>2,425</b>
In Field	1,856
On Campus Reclaimed	569

# Sterilization of Dogs Found Free of Restraint

## Proposed Process

- **On Campus Reclaims** - sterilization of these pets can be absorbed within existing clinic operations
- **Field Return to Owners** – ensure 100% issuance and follow up on sterilization orders
- **Challenges** to sterilizing additional pets on ACS campus
  - Would reduce ability to get to 100% critical calls due
  - Scheduling/logistics
  - Shelter capacity and disease control

# Additional Changes

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- Allow use of Pseudonyms on Dangerous Dog affidavits
- Continue proactive ACS inspections for repeat offenders
- Propose State Legislative changes with our delegation members to strengthen dangerous dog laws
  1. Allow an affidavit from an ACO in lieu of a complainant
  2. Increase penalties for owners of dangerous dogs
  3. Prohibit dangerous dog repeat offenders from pet ownership

# Recommendation Summary

- ❖ **Change City Code Ch. 5**
  1. **Increase minimum fines for repeat offenders & bite cases**
  2. **Allow ACS to sterilize pets found free of restraint rather than 30-day sterilization order**
  
- ❖ **Begin sterilization of free of restraint pets reclaimed on ACS campus after City code change**
  
- ❖ **Ensure 100% Issuance and Follow-up on sterilization orders (Field RTO)**

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