



# CITY OF HOUSTON

Administration & Regulatory Affairs Department  
BARC/ Animal Enforcement Division

**Sylvester Turner**

Mayor

Tina Paez  
Director

Dear City of Houston Resident:

Enclosed in this Barking Dog Complaint Packet is information that will advise you how to address a habitually barking dog that is causing a nuisance in your neighborhood. The Houston Police Department and Houston Animal Enforcement Officers are frequently unable to resolve barking dog complaints due to more immediate issues that require their attention and lack of effective on site resolution tools. However, Houston does have a Public Nuisance procedure that allows residents to address barking dog issues. The Public Nuisance designation may result in citations for the dog owner and ultimately an order to remove the dog(s) from the City for multiple convictions for failure to comply with requirements.

Please review the packet carefully as **all** requirements must be met for the City to declare a dog to be a Public Nuisance. Completed packets may be mailed or submitted in person to the BARC Animal Shelter Administration Building at 2700 Evella Houston, 77026, Monday through Friday, 8:00 a.m. to 5:00 p.m. Packets will then be reviewed; any packet that is not complete or unsigned will be returned to the resident with an explanation of requirements that were not met. The Animal Enforcement Division will proceed with a Public Nuisance Designation, if warranted, and follow up with the owner of the dog in question.

Should you have any questions, please contact an Animal Enforcement Manager by calling the City of Houston 311 helpline.

It is our sincere hope that, by working together, we can make every neighborhood in the City of Houston more enjoyable for all residents.

Sincerely,



Chris Glaser, Animal Enforcement Manager



# City of Houston



## Barking Dog Complaint Resolution Procedure

**The City of Houston BARC/Animal Enforcement Division of the Administrative and Regulatory Affairs Department has established a program to assist Houston residents in obtaining relief from habitually barking dogs causing a nuisance in their neighborhood.**

- *Barking dogs are a serious nuisance. Because of limited animal enforcement and police staff, however, the departments are no longer able to assist the community by responding to complaints of habitual barking in a timely manner. In fact, in most circumstances, by the time an officer arrives at the scene, the dog is no longer barking and a unit is unable to address the issue.*

This program has been established to assist Houston residents with their efforts towards resolving the problems associated with habitually barking dogs. This program is designed to encourage residents to reach a reasonable resolution with their neighbors through direct communication and mediation with the offending dog owner before pursuing legal action. If repeated attempts through private dispute resolution fail and further action is required, the enclosed material provides the required information necessary for the Animal Enforcement Division to designate a dog as a Public Nuisance.

### Houston Code of Ordinances

Noise violations by animals are defined in Chapter 30, Section 3- Noisy animals and birds.

*The keeping of any animal or bird that causes or makes frequent or long and continued sound that unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of ordinary, reasonable persons of normal sensibilities and ordinary tastes, habits, and modes of living who reside in the vicinity*

This noise is considered a violation that may result in a citation if witnessed by an officer.

Barking by a dog may also rise to the level of a Public Nuisance if the violations are frequent and continued. A Public Nuisance declaration will result in the owner being required to take steps to abate the nuisance within 30 days, or more serious misdemeanor citations may be issued that can result in fines and the offending dog being ordered from the Houston jurisdiction.

- Animal Enforcement considers barking to be a violation when it has occurred for more than fifteen (15) consecutive minutes per incident, and a nuisance if there are incidents on eight (8) or more separate days in a thirty day period.

In order to prove a charge of nuisance barking, specific factual information is required and strong evidence is necessary. A Public Nuisance designation requires complaining neighbors to maintain a log of the dates and times in which an identified dog, at a specific location, is disturbing the peace of the neighborhood. Additional supporting evidence should include a date-stamped audio/video recording of the offending dog from the location of the complainant's property as it is habitually barking.

Nuisance complaints may be subjective, and a complaint of habitual barking is stronger if it is supported by more than one neighbor. Therefore, Animal Enforcement has determined that at least one other neighbor must verify that the dog's barking was habitual and caused a nuisance on at least five of the eight incidents. Witness verification must be provided in the form of a notarized affidavit or unsworn declaration signed under penalty of perjury by each witness specifically stating the dates and times of each incident of habitual barking. A declaration and an incident log are included in this informational packet.

**When preparing a complaint of nuisance barking, please be sure to note on the *Barking Dog Incident Log*:**

1. The date and time the barking started, and when the barking stopped.
2. The specific address of the dog and your address. Please remember that the barking must be audible from within your home, and barking must be continuously audible for at least fifteen minutes.
3. Evidence, if available, based on personal observation, that the dog was not provoked into barking.
4. The eight (8) incidents of excessive barking must take place on different days within a 30 day period of time.

**You must comply with the requirements that:**

1. Two courtesy cards documenting eight (8) or more days of habitual barking were sent by certified mail, return receipt requested, to the offending dog owner, with a copy retained for proof.
2. Private mediation or arbitration has been attempted, refused, and failed. If you would like assistance in discussing this issue with your neighbor(s), contact the Harris County Dispute Resolution Center at 713-755-8274.
4. Prior to submitting your package for review, you and at least one neighbor have signed the declaration under penalty of perjury that your neighbor observed five (5) incidents and you have complied with all of the above requirements.

Once a completed package is submitted to the BARC/Animal Enforcement Division, the package will be reviewed for completeness. Packages that are incomplete or unsigned will result in no action being taken the City. Provided the complaint package is complete, Animal Enforcement will send an officer with a formal nuisance letter advising the dog owner that the problem has resulted in a nuisance declaration and that unless the problem is remedied within thirty (30) business days, the citations will be issued and further action taken.

Complaining neighbors may submit or mail completed original packets to:

BARC/ Animal Enforcement,  
2700 Evella  
Houston, Texas 77026  
8:00 a.m. to 5:00 p.m.

- **No emailed or faxed copies will be accepted**
- Complainers should make copies of the submitted information prior to delivering the packets to Animal Enforcement.

**Please Remember:**

**Enforcement of the laws against barking dogs is possible only with the cooperation and assistance of the residents of Houston themselves. BARC/ Animal Enforcement and the City of Houston Police Department cannot solve barking dog problems without your participation. Please take the time to fully document each offense and obtain proper evidence so that the law can be enforced.**

***Thank you!***



# Courtesy Notice: 1

CERTIFIED MAIL

Dear Neighbor:

This is to advise you that your dog has frequently been barking or howling for fifteen minutes or more in a manner that is disturbing your neighbors.

Dogs may bark for a good reason. Sometimes they get a response of some kind and continue the behavior. However, dogs that bark frequently are a problem and often owners do not realize that their dog may be causing a disturbance to their neighbors.

These incidents are being documented, and it is hoped that this will not continue as the City of Houston does consider frequent or long and continued barking to be a nuisance.

On the following three dates and times, your dog has caused a disturbance:

1. Date: \_\_\_\_\_ Time: \_\_\_\_\_
2. Date: \_\_\_\_\_ Time: \_\_\_\_\_
3. Date: \_\_\_\_\_ Time: \_\_\_\_\_

It is understood that you may not be aware of this issue, but the good news is that dogs and neighbors can live in harmony. Pet owners can get information from the Humane Society, the American Kennel Club and other organizations about why dogs bark. They also offer advice on how to correct excessive barking. The Humane Society website is: [www.humanesociety.org/animals/dogs/tips/how to stop barking.html](http://www.humanesociety.org/animals/dogs/tips/how_to_stop_barking.html)

The AKC is: <http://www.akc.org/content/dog-training/articles/how-to-stop-a-dog-from-barking/>

Thank you for respecting your neighbors and the neighborhood.

# Courtesy Notice: 2

CERTIFIED MAIL

Dear Neighbor:

Your dog has continued to bark or howl continuously for five minutes or more in a manner that is disturbing your neighbors.

You received a previous notice (mailed on) \_\_\_\_\_, but the noise has continued. On the following dates and times, your dog has disturbed at least two of your neighbors:

1. Date: \_\_\_\_\_ Time: \_\_\_\_\_
2. Date: \_\_\_\_\_ Time: \_\_\_\_\_
3. Date: \_\_\_\_\_ Time: \_\_\_\_\_
4. Date: \_\_\_\_\_ Time: \_\_\_\_\_
5. Date: \_\_\_\_\_ Time: \_\_\_\_\_

Eight incidents in total have occurred within a one-month (30 day) period. These incidents, which have disturbed at least two neighbors, have been documented, and the complaint may be forwarded to, and reviewed by, the City of Houston BARC/Animal Enforcement Division.

Barking dog complaints are a violation of City Ordinance 30-3, and may result in citations, fines and a Public Nuisance designation. A dog designated as a Public Nuisance may be ordered to be removed from the City.

You can avoid possible prosecution by resolving this nuisance immediately and/or by calling me

at (\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_, so that we can attend mediation at the Harris County Dispute Resolution Center, a free service funded by the Harris County Court system.

You will not receive another notice prior to my documentation being sent to Animal Enforcement.

I would like to thank you for respecting the quiet enjoyment of the neighborhood by all your neighbors.

Signed:

(This letter is required by the City of Houston for documentation of a Barking Dog Complaint)



# BARKING DOG COMPLAINT REQUIREMENT CHECKLIST



YES	NO	1st Courtesy Notice sent to: (Name and Address of dog owner)	Sent by:	Date
YES	NO	2nd Courtesy Notice sent to: (Name and Address of dog owner)	Sent by:	Date
YES	NO	Did you personally speak to the dog owner?	Brief Explanation	Date completed
YES	NO	Have 8 barking incidents, of 15 minutes or more, occurred on different days in a 30 day period?	Brief Explanation	Date completed
YES	NO	Have at least five incidents been witnessed by at least one other neighbor? Listed on Incident Log?	Brief Explanation	Date completed
YES	NO	Was civil remedy/HOA action attempted?	Brief Explanation	Date completed
YES	NO	Did mediation occur?	Brief Explanation	Date completed

Please fill in all spaces below, incomplete entries will result in the complaint being dismissed

My name is: \_\_\_\_\_ (First) \_\_\_\_\_ (Middle) \_\_\_\_\_ (Last)

My date of birth is: Month: \_\_\_\_\_ Day: \_\_\_\_\_ Year: \_\_\_\_\_

My address is: \_\_\_\_\_ (Street) \_\_\_\_\_ Texas \_\_\_\_\_ and \_\_\_\_\_ USA \_\_\_\_\_ (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip Code) \_\_\_\_\_ (Country) \_\_\_\_\_ (Telephone Number)

**I declare under penalty of perjury that the foregoing is true and correct.**

Executed in: \_\_\_\_\_ County, State of Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Signature of Declarant \_\_\_\_\_



# Barking Dog Incident Log

One Log Entry per day for loud, prolonged barking of 15 minutes or more duration

Date	Start Time	End Time	Dog's Location/Address	Was Owner Home?	Your Location/Address	Description of Incident	Name, Address, Ph # of neighbor verifying
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							