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Chapter 6 Proposed Ordinance Changes





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- **Intensive turnaround period at BARC recently completed**
 - Organization is now stable
 - Redesigned functional areas able to focus on growth opportunities and special projects
- **Kicked off comprehensive assessment of existing regulations, with respect to:**
 - Relevance of definitions and provisions to current BARC and private sector business practices
 - Whether provisions provided adequate system to encourage responsible behavior

Acknowledgments



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- **External Stakeholders:**

- Members of Houston pet rescue, foster, and advocacy community
- Operators of boarding, grooming, veterinary, day-care, and other pet service businesses
- Texas Veterinary Medical Society
- Harris county VMA
- Texas A & M School of Veterinary Science
- Houston Kennel Club
- And many others

- **Internal Stakeholders:**

- Houston Police Department
- Municipal Courts Department
- Office of Emergency Management/Houston Emergency Center
- Legal Department – special thanks to Candice Gambrell
- Department of Neighborhoods



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- **Guiding principles**
 - Establishing clear, targeted definitions that everyone understands
 - Identify and eliminate outdated or unnecessary regulations
 - Replacing arbitrary requirements with rational standards
 - Moving towards “nuisance-based” enforcement



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Stakeholder Engagement Process

- **Monday, May 20, 2013**

- Chapter 6 discussion with stakeholders at BARC Animal Shelter and Adoptions
- Invitations distributed through email and by phone call to stakeholders

- **Tuesday, August 20, 2013**

- Chapter 6 Ordinance review with constituents at BARC
- Invitations distributed through email and by phone call to stakeholders

- **Wednesday, September 4, 2013**

- Kennel issues-Chapter 6 discussion at BARC
- Invitations distributed through email and by phone call to stakeholders

- **Thursday, September 12, 2013**

- Chapter 6 Stakeholder Meeting at BARC
- Invitations distributed through email and by phone call to stakeholders

- **Tuesday, October 1, 2013**

- Chapter 6 Stakeholder Meeting at Houston Permitting Center
- Video live-streamed for constituents watching online
- Twitter updates provided by BARC and questions answered
- Video of stakeholder meeting posted at www.youtube.com/wearebarc
- Invitations to stakeholders distributed through CitizensNet, news release, email blast, personal emails to individuals who sent Service Requests to Mayor Parker, etc, and by letter to groomers, kennels and other commercial pet facilities.



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Stakeholder Engagement Process, cont'd

- **Tuesday, October 15, 2013**

- Chapter 6 Recommended Revisions Stakeholder Conference Call at 611 Walker
- Chapter 6 Stakeholder Meeting at Houston Permitting Center
- Twitter updates provided by BARC and questions answered
- Video of stakeholder meeting posted at www.youtube.com/wearebarc
- Invitations to stakeholders distributed through CitizensNet, news release, email blast, personal emails to individuals who sent Service Requests to Mayor Parker, etc, and by letter to groomers, kennels and other commercial pet facilities.

- **Thursday, January 23, 2014**

- Second Chapter 6 Stakeholders Meeting at Houston Permitting Center
- Chapter 6 Stakeholder Meeting at Houston Permitting Center
- Video live-streamed for constituents watching online
- Twitter updates provided by BARC and questions answered
- Video of stakeholder meeting posted at www.youtube.com/wearebarc
- Invitations to stakeholders distributed through CitizensNet, news release, email blast, personal emails to individuals who sent Service Requests to Mayor Parker, etc, and by letter to groomers, kennels and other commercial pet facilities.

- **Other items updated and provided for public viewing at www.HoustonBARC.com:**

- Updated drafts of Chapter 6 including redline revisions
- Issue action report and ordinance notes which outline major changes based on constituent feedback and needed additions/edits

Title Transfer Clarity



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- **Several stakeholders expressed concerns about the legal status of animals transferred from BARC to third party rescue groups.**
- **In order to remove this uncertainty, we have:**
 - Clarified definitions (6-1)
 - Adoption
 - Disposition
 - Introduced language to clarify the legal ownership of transferred animals (6-102)

Update Outdated Definitions



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- **BARC is no longer the Bureau of Animal Regulation and Care**
- **A definition has been added for extreme weather conditions**
- **References to the building code have been added**
- **The definition of feral cat has been tweaked**
 - Due to stakeholder feedback
- **The definition of humane society has been extended to include rescue groups that might not staff permanent shelters**
 - Due to stakeholder feedback



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Eliminate or Update Unnecessary Regulations

- **Replacing the tattoo requirement for animals involved in a bite incident with a microchip requirement**
- **Removing the permit for wild animals**
- **Removing the permit for milch goats**



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Improve tools available to effect positive animal control outcomes

- **A more precise definition of animal ownership was added**
- **Dangerous/Aggressive/Public Nuisance Dog Designations**
- **BARC will not adopt or foster to any person convicted of animal cruelty**
- **On every first impoundment, unaltered animals will be altered at the owner's expense**
 - Due to stakeholder feedback, an exception was added for animals whom it would be medically inadvisable to alter
 - A one-time exception was also added for pets that have an unaltered pet license
- **A hobby/non-commercial breeder permit has been added**
 - Stakeholders informed us that hobby breeding was substantially different from commercial and non-commercial breeding and that it warranted its own license.
- **A non-commercial breeder permit has been added**

Retool provisions to streamline BARC



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- **The chain of ownership to and from BARC was clarified**
 - This issue is currently the subject of litigation, not addressing this topic in these revisions presents several negative implications for current and future operations
 - Stakeholders stressed the legal importance of clear animal ownership and directed us to jurisdictions that had implemented clear language
 - BARC now clearly takes ownership of an animal at the end of either 72 hours or 6 days, and BARC disposes of its ownership via either adoption, transfer to a humane organization, or humane euthanasia
- **Eligibility for the in-home quarantine of dogs involved in bite cases has been expanded**

Transform Outdated Kennel License System



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- **The term “Dog Kennel” has been replaced with “Commercial Pet Services Facility.”**
- **Commercial Pet Services Facility has been clearly defined**
- **Clear guidelines for suspending/revoking a permit have been established**
 - Independent due process protections have also been implemented.



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Livestock – Context for Future Work

- **Livestock permit created**
 - Informed by standards established in other Texas cities
- **Enclosure standards for Horse Stables established**
 - Informed by recommended standards per the Texas A&M School of Veterinary Science
- **Enclosure standards for livestock established**
 - Informed by recommended standards per the Texas A&M School of Veterinary Science
- **BARC recommends that it continue to work with stakeholders to refine current recommendations on this issue**
 - BARC will work to bring formal recommendations for Council action regarding livestock in April, 2014



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- **This comprehensive update to Houston’s animal control regulations will improve animal control, live release, and responsible ownership outcomes.**
- **Consistent stakeholder feedback has played a significant role in significantly improving the quality of these recommendations.**