



# CITY OF PLANO COUNCIL AGENDA ITEM

<b>CITY SECRETARY'S USE ONLY</b>				
<input type="checkbox"/> Consent <input type="checkbox"/> Regular <input type="checkbox"/> Statutory				
Council Meeting Date:		June 28, 2016		
Department:		Animal Services		
Department Head		Jamey Cantrell		
Agenda Coordinator (include phone #): <b>Jamey Cantrell (972) 769-4226</b>				
<b>CAPTION</b>				
A Resolution of the City of Plano, Texas, approving a revised Animal Services Fee Schedule to reflect fees for current and new services and programs; and providing an effective date.				
<b>FINANCIAL SUMMARY</b>				
<input type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OPERATING EXPENSE <input checked="" type="checkbox"/> REVENUE <input type="checkbox"/> CIP				
FISCAL YEAR:	2015-16	<b>Prior Year (CIP Only)</b>	<b>Current Year</b>	<b>Future Years</b>
		<b>TOTALS</b>		
Budget		0	0	0
Encumbered/Expended Amount		0	0	0
This Item		0	404,329	0
BALANCE		0	404,329	0
<b>FUND(S):    GENERAL FUND</b>				
<p><b>COMMENTS:</b> The purpose of this Resolution is to set Animal Services Fees and separate them from Health Department Fees Ordinance. The total amount of 2015-16 budgeted revenues for Animal Services is \$404,329.</p> <p><b>STRATEGIC PLAN GOAL:</b> A Resolution to set Animal Services Fees and separate from the Health Department Fees Ordinance relates to the City's goal of a Financially Strong City with Service Excellence.</p>				
<b>SUMMARY OF ITEM</b>				
<p>Currently, Animal Services fees are set by the city's Health Department Fees Ordinance. The adoption of a new Chapter 4, Animal Regulations, requires that Animal Services fees be set by Council resolution. This item sets all Animal Services fees, which are unchanged from the Health Department Fees Ordinance, and creates the newly approved fee for a zoological educational outreach display permit.</p>				
List of Supporting Documents:			Other Departments, Boards, Commissions or Agencies	
Resolution, Fee Schedule, and Animal Services Memo			N/A	

**Date:** June 16, 2016

**To:** Bruce Glasscock, City Manager

**From:** Jamey Cantrell, Animal Services Director

**Subject:** Ordinance Clean Up and Fee Resolution

Animal Services has recently completed proposed changes to Chapter 4 of the City's Code of Ordinances. The last update to this Chapter was passed in 2009 and many changes in state law as well as Animal Services now being a stand-alone department necessitate revisions to the City's Code of Ordinances. Additionally, the city's Prosecutor's Office assisted in editing the ordinances to clarify language and eliminate loopholes that sometimes made enforcement difficult. These revisions have been presented and supported by the Animal Shelter Advisory Committee and there were four opportunities for public comments: during the April and October meetings in 2015 and the January and April meetings in 2016. No comments were received. Staff from Animal Services and the Legal Department have spent numerous hours writing and re-writing these proposed changes to ensure that they reflect the City's attitude of being a progressive, humane community while still ensuring that all individual rights are protected.

Although this is a "major" revision with regards to wording, there is actually little change in ordinance requirements. In fact, the average pet owner will face no more or less regulation than they do with the current ordinance. Most of the additions affect animal-related business by giving the Animal Services Department greater authority to address ordinance violations through temporary closures and enforcement actions. The principal changes are highlighted below but if a complete "strike-through" version is requested to illustrate every difference, one can be provided:

- Section 4-27 - Requires those who use traps to capture animals to check the trap at least once daily, not set the trap if the overnight low temperature is expected to be below forty degrees Fahrenheit, and ensure that all traps are set in conditions that do not otherwise endanger a captured animal due to exposure to the elements. It also bars trapped animals from being killed and prohibits the use of all lethal traps except for commercially available traps set specifically for rats, mice, or insects.
- Section 4-61 - Appoints the animal shelter as the designated caretaker of all impounded animals and then fully transfers ownership of all animals to the city after the expiration of any required holding period.
- Section 4-124 - Creates a permit for zoological educational outreach displays for groups that are accredited by either the American Zoological Association or Zoological Association of America so that they can display animals that are not allowed in petting zoos or other animal-related businesses.
- Section 4-128 - Requires permit holders to temporarily cease operations and report to Animal Services if there is any imminent health hazard that might affect the permit holder's staff, customers, or animals. If the permit holder does not do so voluntarily, the Animal Services Director may order a temporary closure and impound any animals until the hazard is abated and operations can resume.
- Section 4-129 - Allows permits to be suspended if permittees refuse to allow required inspections, fail to meet ordinance requirements, or otherwise violates city ordinances.
- Section 4-130 - Consolidates all permit revocation, denial, and appeal processes.
- Section 4-157 - Brings the Dangerous Animal statutes into alignment with state law with regards to the appeal process and the timeframe that appeals must be filed in.

An Ordinance to repeal all Animal Services fees set by the Health Department Fees Ordinance and a Resolution to set all Animal Services fees is also included in this clean up. These are needed to separate Animal Services fees from the Health Department fees. All current fees set by the previous Ordinance will remain the same with the Resolution only setting a new fee for the proposed permit for zoological educational outreach displays.

**A Resolution of the City of Plano, Texas, approving a revised Animal Services Fee Schedule to reflect fees for current and new services and programs; and providing an effective date.**

**WHEREAS**, on January 27, 2014, the City Council adopted Ordinance No. 2014-1-20, entitled "Health Categories and Fees" to provide the latest Animal Services and Environmental Health fees; and

**WHEREAS**, it is necessary to update and approve a new Animal Services fee schedule to incorporate fees for new programs and services offered by the department; and

**WHEREAS**, the City Council, has determined that it is in the best interest of the City of Plano, Texas, to adopt a revised a fee schedule, attached hereto as Exhibit "A".

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PLANO, TEXAS, THAT:**

**Section I.** The Animal Services Department Fee Schedule, attached hereto as Exhibit "A," having been reviewed by the City Council of the City of Plano and found to be acceptable and in the best interests of the City of Plano and its citizens, is hereby approved.

**Section II.** This Resolution shall become effective immediately upon its passage.

**DULY PASSED AND APPROVED** this the 28th day of June, 2016.

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Harry LaRosiliere, MAYOR

**ATTEST:**

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Lisa C. Henderson, CITY SECRETARY

**APPROVED AS TO FORM:**

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Paige Mims, CITY ATTORNEY

EXHIBIT "A"

ANIMAL SERVICES FEES

ANNUAL REGISTRATION	FEE
Dog, cat or ferret registration - annual	\$30.00
Sterilized dog, cat, or ferret registration – annual (Reduced to \$5.00 if owner is sixty (60) years of age or older or provides proof of receiving financial assistance from any governmental agency; the animal is used by a law enforcement agency; or the animal is a certified assistance animal.)	\$10.00
Dangerous animal registration - annual	\$250.00
Lost registration tag fee	\$5.00
Late Fee for annual registration if applied for thirty-one (31) or more days after the expiration of the previous registration	\$10.00
First-time registration of any dog, cat or ferret twelve (12) months of age or less, sterilized or unsterilized	\$10.00
<b>PERMIT*</b>	
Commercial Breeder Permit - annual	\$75.00
Animal Establishment Permit - annual	\$75.00
Animal Exhibition Permit - per seven (7) day period	\$25.00
Zoological Educational Outreach Display Permit - annual	\$75.00
Pet Grooming Facility Permit - annual	\$50.00
Multi-Pet Permit Application Fee - annual	\$15.00
Wildlife Educational Center Permit - annual	\$200.00
Wildlife Rehabilitator Permit - annual	No charge
Re-inspection Fee – per re-inspection, for Commercial Breeder, Animal Establishment, Pet Grooming Facility or Wildlife Educational Center	\$25.00
Late Fee for annual Permit for Commercial Breeder, Animal Establishment, Pet Grooming Facility or Wildlife Educational Center if applied for one to thirty (1-30) days after expiration of previous permit	\$25.00
Late Fee for annual Permit for Commercial Breeder, Animal Establishment, or Pet Grooming Facility if applied for thirty-one (31) or more days after expiration of previous permit	\$50.00
<b>IMPOUND AND BOARDING</b>	
First Impoundment	\$75.00
First Impoundment may be reduced by the following amounts if the animal, at the time of the impound is:	
Sterilized	\$40.00
Currently vaccinated against rabies	\$10.00
Currently licensed with the City	\$10.00
Identified by traceable identification	\$15.00
Second Impoundment in any twelve (12) month period	\$100.00
Third and all subsequent impoundments in any twelve (12) month period: Previous full impound fee plus	\$100.00+
Boarding Fee per animal, daily for all or part of any one day	\$10.00

ADOPTION	
Dog or cat	\$80.00
Ferret	\$50.00
Bird, small mammal, reptile	\$25.00
MISCELLANEOUS	
Microchipping fee	\$15.00
Rabies vaccination fee	\$10.00
Local Rabies Control Authority Incident Fee (includes all boarding and observation fees and ship and test fees)	
	\$100.00
Livestock capture and impoundment, per head	\$100.00
Livestock boarding fee, per head, per day	\$15.00
Deceased dog, cat, or other small animal cremation fee	\$20.00
Owner surrender fee for any dog, cat, or other small animal	\$25.00

\*No permit shall be issued or renewed until such fee is paid.