

BURLESON ANIMAL SHELTER ADVISORY COMMITTEE  
March 1, 2022  
**MINUTES**

Roll Call

Members Present

Kim Peckler  
Jennifer Stockemer  
Dr. Ryan Camp  
Donna Riggs  
Syriana Smith

Absent

Tom Giangreco

Staff

Lisa Duello  
Maricela Hernandez

**Call to Order – Time: 5:47 p.m.**

**1. Summary of January 23, 2022 Boards and Commission Dinner and present members with Certificate.**

On January 27, 2022 the City held a Boards and Appreciation Dinner at Lost Oak Winery Event Center located at 8181 CR 802. The event included a catered event by The Rim and reflections on the Boards past year accomplishments.

Each member of the Boards were presented with a commemorative Notebook, a Certificate of Appreciation and the Chairman of Board was presented with a plaque.

Unfortunately, no one from the ASAC was able to attend the dinner therefore: the commemorative Notebook, the Certificate of Appreciation and the Chairman of Board plaque were presented at this meeting.

**2. Consider approval minutes from November 2, 2021 Animal Shelter Advisory Committee**

Dr. Camp made motion and Kim Peckler second  
Motion passed 6-0

**3. Discuss Animal Services Monthly Report on shelter operations through January 2022.**

The statistical summary report for the period of Fiscal Year 2020 - 2021 provides the following operational information:

- Revenue breakdown
- Revenue – yearly comparative
- Field service calls
- Action taken by Officers
- Call breakdown per month
- Intake by species

- Intake type
- Euthanasia numbers and reasons
- Phone calls
- Visitors
- Volunteer Hours
- Statistics by Month
- Definition of Terms

Kim Peckler stated that the FY 2020 - 2021 numbers are 2491 telephone calls, 690 field service calls and 1341 visitors at the shelter. There were 46.3 non-court ordered volunteer hours and 20 animals brought in for Rabies Quarantine.

**4. Receive a report, hold a discussion and give staff feedback on the proposed amendments to Chapter 6, Animal Care and Control, relative to new the state law that assist with the protection of unattended dogs restrained outdoors.**

*The ASAC committee supported the changes to Chapter 6 as presented by staff and wanted to add language relevant to the prohibition of tying/tethering dogs to stationary objects.*

Texas legislature most recently passed Senate Bill 5 (attached) unattended Dogs res in the 87<sup>th</sup> legislative session, third special session – the Safe Outdoor Dogs Act to protect unattended dogs restrained outdoors, effective January 18, 2022.

How Senate Bill 5 protects dogs and improves public safety:

- Defines adequate shelter to protect dogs from exposure to extreme temperature, standing water and ensures the dog can stand, turn around and lie down.
- Requires access to drinkable water
- Prohibits the use of chain restraints which cause pain and injuries.
- Strikes the 24- hour waiting period so animal services and law enforcement can take immediate action for dogs in distress.

Staff is proposing to update the City of Burleson Code of Ordinance, Chapter 6, Animal Care and Control, Section 6-9 -Care and Humane Treatment of Animals, to be concurrent with state Law.

Staff is proposing the following changes outlined in orange:

**Sec. 6-1. - Definitions.**

Adequate Shelter shall mean a sturdy structure that has three sides, a floor and a roof and provides the dog protection from inclement weather and with dimensions that allow the dog while in the shelter to stand erect, sit, turn around, and lie down in a normal position.

Harness means a set of straps constructed of nylon, leather, or similar material, specifically designed to restrain or control an animal.

Collar shall mean any collar constructed of nylon, leather, or similar material, specifically designed to be placed around the neck of an animal ~~dog or cat~~ and used for the type of animal wearing or being restrained by it.

~~Cruel treatment shall mean any treatment to any animal in violation of the Texas Penal Code.~~

*Cruelly treated* includes tortured, seriously overworked, unreasonably abandoned, unreasonably deprived of necessary food, care, or shelter, cruelly confined, caused to fight with another animal, or subjected to conduct prohibited by Texas Penal Code, Section 21.09

*Inclement weather* includes, rain, hail, sleet, snow, high winds, extreme low temperatures, or extreme high temperatures.

~~Properly fitted shall mean, with respect to a collar, a collar that measures the circumference of the animal's neck plus at least one inch~~

*Properly fitted* means, with respect to a collar or harness, a collar or harness that is appropriately sized for the animal ~~dog or cat~~ based the measurements and body weight of the animal ~~dog or cat~~ and does not choke the animal ~~dog or cat~~ or impede the animal's ~~dog's or cat's~~ normal breathing or swallowing and does not cause pain or injury to an animal.

#### **Sec. 6-9. Care and humane treatment of animals**

\* \* \*

(f) *Tying dogs and other animals.* A person commits an offense if the person ties or tethers a dog or other animal in an unenclosed front or back yard, or by a fixed point, chain, or tether so as to create, as determined by the animal control authority, an unhealthy situation for the animal or a potentially dangerous situation for a person or another animal. A person restraining a dog with a chain or tether shall attach the chain or tether to a properly fitted collar, not wrap a chain or tether directly around the animal's neck.

(1) An owner may not leave an animal outside and unattended by use of a restraint that unreasonably limits the animal's movement:

- a. Between the hours of 10:00 p.m. and 6:00 a.m.;
- b. Within 500 feet of the premises of a school; or
- c. In the case of extreme weather conditions, including conditions in which:
  1. The actual or effective outdoor temperature is below 32 degrees Fahrenheit;
  2. A heat advisory has been issued by a local or state authority or jurisdiction; or
  3. A hurricane, tropical storm, or tornado warning has been issued for the jurisdiction by the National Weather Service.

- d. Shall provide adequate shelter; and
- e. Shall provide an area that allows the dog to avoid standing water and exposure to excessive waste; and
- f. Shall provide shade from direct sunlight; and
- g. Shall providing potable water.

(2) An Owner may not restrain a dog outside and unattended by use of a restraint that:

- a. Uses a collar that is pinch-type, prong-type, or choke-type or that is not properly fitted to the animal;
- b. Is a length shorter than the greater of:
  - 1. Five times the length of the animal, as measured from tip of the animal's nose to the base of its tail; or
  - 2. Ten feet.
- c. Is in an unsafe condition; or
- d. Causes injury to the animal
- e. is a chain; and
- f. has weights attached.

(3) *Exceptions.* Subsections (2)b.1. and (2)b.2. above do not apply to:

- a. An animal restrained to a running line, pulley, or trolley system and that is not restrained to the running line, pulley, or trolley system by means of a pinch-type, prong-type, choke-type, or improperly fitted collar;
- b. An animal restrained in compliance with the requirements of a camping or recreational area as defined by a federal, state, or local authority or jurisdiction;
- c. An animal restrained for a reasonable period, not to exceed three hours in a 24-hour period, and no longer than is necessary for the owner to complete a temporary task that requires the animal to be restrained;
- d. An animal restrained while the owner is engaged in, or actively training for, an activity that is conducted pursuant to a valid license issued by the state if the activity for which the license is issued is associated with the use or presence of the animal;
- e. An animal restrained while the owner is engaged in conduct directly related to the business of shepherding or herding cattle or livestock; or
- f. An animal restrained while the owner is engaged in conduct directly relating to the business of cultivating agricultural products, if the restraint is reasonably necessary for the safety of the animal.

- g. A dog left unattended in an open-air truck bed only to the time reasonably necessary for the owner to complete a temporary task that requires the dog to be left unattended in the truck bed;
  - h. A dog taken by the owner, or another person with the owner's permission, from the owner's residence or property and restrained by the owner or the person for not longer than the time necessary for the owner to engage in an activity that requires the dog to be temporarily restrained; or
  - i. A dog restrained while the owner and dog are engaged in, or actively training for, hunting or field trialing.
- (4) A restrained animal must have access to water and shelter from the elements, have a restraint that does not become entangled, and stay within the owner's property.

**5. Receive a report and hold discussion regarding the status of the construction of new isolation area.**

A status update meeting was held on February 8, 2022 with the following in attendance:

Josh Shakeshaft –	Moses Gomez –
Armando Ordaz –	Moses Gomez –
Lance Barton –	Craig Horne - VAI
Kim Peckler –	Lisa Duello –
T Jones –	Diduch –
Debbie Fulwiler –	

**Discussion:**

1. Plumbing installed –Trench drains arrived 2/7/22
2. Carton forms arrived
3. CMU Wall submittal – needs to be expedited when submitted
4. CMU Install – End 2nd week of March
5. Concrete this month. Pour Monday, 2/14/22 tentative
6. Form Board Survey is required by the city and Alpha is preparing
7. Change Order #1 was approved – material cost increase – 40% of contingency used with this change order
8. Kennels planned end of April
9. RTU – No permanent access but need walk pads around unit and to a location marked for ladder placement
10. CMU walls to be closed at the top as discussed in our previous meetings
11. City to provide plans on other building that is in the works to coordinate for concrete drives. Lisa to provide.
12. Sealant at grout/mortar to verify. Discussed previously and need included for longevity of the material with the abuse
13. Discussed door jambs – details do not depict frames accurately. Need to ensure closure and coverage at frame so no holes or small gaps. Build up of multiple materials would not be acceptable.
14. Discussed pricing of the following:
  - a. kennel material anodized aluminum in lieu of powder coating
  - b. clean room ceiling tile at kennels and then in entire room, include clip down of tiles

- c. walk pads at RTU and from ladder (verify not in specs already)
- d. Trench drains at existing building (Discussed that these are breaking and need to be replaced) This would be a separate pot of money.

Contractor indicated projection for completion at this time was May 2022.

#### **6. Summary of the Burleson Animal Shelter Kennel Sponsorship Program.**

Animal Services implemented an Adopt a Kennel Program in 2019. This program allows businesses or individuals to advertise, memorialize a loved one, honor a special furry friend, or purchasing a perfect gift for the hard to buy. All proceeds from the program go to the Injured Animal Fund.

Burleson Animal Shelter's Kennel Sponsorship Program is still going strong. The program has brought in \$12,700 since it was initiated.

Since our last report, we have had the following new sponsors:

Name	Amount
Jay Davis	\$750
Anna Garcia, Martha Garcia	\$400
Theresa Young	\$250
Megan Marpe	\$250
<b>TOTAL</b>	<b>\$1650</b>

#### **7. Summary of the Migratory Bird Prevention Efforts**

Animal Services staff has encountered egret rookeries for past few years and every fall and spring staff distributes educational flyers to the neighborhoods where the rookeries are and in the adjacent neighborhoods. Staff distributed educational flyers to these areas.

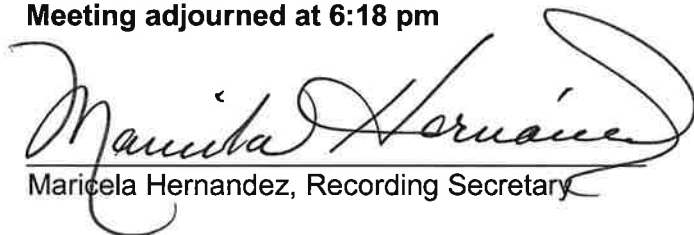
#### **8. Suggested date for next meeting August 2, 2022**

##### **Adjourn**

Motion made by Dr. Camp to adjourn and second by Kim Peckler

Motion passed 6 - 0

**Meeting adjourned at 6:18 pm**



Maricela Hernandez, Recording Secretary