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Filed: 11-17-15

Sponsored by: Hosmer

First Reading: _____

Second Reading: _____

COUNCIL BILL NO. 2015- 310

GENERAL ORDINANCE NO. _____

AN ORDINANCE

1 AMENDING the Springfield City Code, Chapter 18, Animals, Article I, In General,
2 Section 18-1, Definitions, to add new definitions; and amending
3 Chapter 18, Animals, Article II, Dogs, Cats, and Ferrets, by adding a
4 new section 18-60 related to the limited tethering of dogs.
5
6

7 WHEREAS, the Animal Issues Task Force (Task Force) was charged with
8 researching and making recommendations to the City Manager regarding animal-
9 related issues in our community, including the review of current animal ordinances; and
10

11 WHEREAS, the Task Force recommended that a new section be added to
12 Chapter 18 to prohibit fixed-point tethering of dogs, as it can lead to animal aggression
13 and can threaten the health and safety of the tethered animal; and
14

15 WHEREAS, the Task Force recommended that the City Code be changed to
16 allowed limited tethering of dogs; and
17

18 WHEREAS, the Plans and Policies Committee met on October 26, 2015, and
19 recommended that Staff prepare this ordinance to be presented to Council.
20

21 NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
22 SPRINGFIELD, MISSOURI, as follows, that:
23

24 NOTE: Underlined language is to be added. Language to be removed is ~~stricken~~.
25

26 Section 1 – The Springfield City Code, Chapter 18, Animals, Article I, In General,
27 Section 18-1, Definitions, is hereby amended by adding the following definitions:
28

29 Sec. 18 - 1. Definitions. The following words, terms and phrases, when
30 used in this chapter, shall have the meanings ascribed to them in this section,
31 except where the context clearly indicates a different meaning:
32

33 Body Harness means, a set of straps that extend around the chest and

34 mid-section of the dog's body, so as to not tighten around the dog's neck when
35 the dog pulls on the end of a tether.

36
37 Non Choke Type Collar means, a collar that, when worn by a dog, does
38 not constrict or choke the dog, when the dog pulls or extends the attached tether.

39
40 Tether means a rope, chain, or cable that is attached to a dog's collar or
41 harness for purposes of restraining the dog.

42
43 Section 2 – The Springfield City Code, Chapter 18, Animals, Article II, Dogs,
44 Cats, and Ferrets is hereby amended by adding a new section as follows:

45
46 Sec. 18-60 Tethering dogs.

47
48 (a) Any dog permitted to be kept within the City shall not be
49 chained, tied, fastened or otherwise tethered to any stationary or inanimate
50 object as a means of confinement and restraint to property.

51 (b) Exceptions:

52 (1) Tethering shall be allowed on rare occasions when it is
53 necessary for the dog owner or custodian to complete a temporary
54 task that requires the dog to be physically restrained but shall not be
55 for more than a reasonable time.

56 (2) Tethering shall be allowed for short periods of time, not to exceed
57 30 minutes, for the purpose of the dog to relieve itself.

58 (3) When a dog is tethered as allowed in the above exceptions,
59 the dog must be tethered by a non choke type collar or a body
60 harness to a tether that is at least three times the body length of the
61 dog, measured from the dog's nose to the back of the hindquarters
62 and which tether is free from any objects that could cause
63 entanglement or strangulation. The tether shall be proportional to
64 the size and weigh no more than one-eighth (1/8) of the dog's body
65 weight.

66 (4) When a dog is tethered as allowed in the above exceptions,
67 any person having custody of such animal shall provide adequate shelter
68 and adequate water for the dog, as defined in Sec. 18-1 of Springfield
69 City Code. This section shall not apply to dogs used by law
70 enforcement agencies in the performance of their duties, service
71 dogs, or any facility in the city licensed by the United States
72 Department of Agriculture, Missouri Department of Agriculture, or
73 the Missouri Board of Veterinary Medicine.

74 (c) When riding outside the passenger compartment of a vehicle
75 in transit or when tethered to a legally parked or otherwise situated vehicle,
76 a dog must be secured by a non choke type collar or body harness, such
77 that the dog cannot reach past the edge of any of the sides of the vehicle.

78 (d) Any person found guilty of a violation prescribed in this section
79 shall, upon conviction thereof, be punished as provided by section 1-7, and
80 each and every instance of violation shall be a separate offense.

81
82 Section 3 – The section and subsection numbers shown herein shall be used
83 unless the City Clerk or the codifier of the City Code assign a different section or
84 subsection number to the language.

85
86 Section 4 – Savings Clause. Nothing in this ordinance shall be construed to
87 affect any suit or proceeding now pending in any court or any rights acquired or liability
88 incurred nor any cause or causes of action occurred or existing, under any act or
89 ordinance repealed hereby. Nor shall any right or remedy of any character be lost,
90 impaired, or affected by this ordinance.

91
92 Section 5 – Severability Clause. If any section, subsection, sentence, clause, or
93 phrase of this ordinance is for any reason held to be invalid, such decision shall not
94 affect the validity of the remaining portions of this ordinance. The Council hereby
95 declares that it would have adopted the ordinance and each section, subsection,
96 sentence, clause, or phrase thereof, irrespective of the fact that any one or more
97 sections, subsections, sentences, clauses, or phrases be declared invalid.

98
99 Section 6 – This ordinance shall be in full force and effect from and after
100 passage.

101
102 Passed at meeting: _____

103
104 _____
105 Mayor

106
107 Attest: _____, City Clerk

108
109 Filed as Ordinance: _____

110
111 Approved as to form: K. Sturby, Assistant City Attorney

112
113 Approved for Council action: [Signature], City Manager

EXPLANATION TO COUNCIL BILL NO: 2015- 310

FILED: 11-17-15

ORIGINATING DEPARTMENT: Health

PURPOSE:

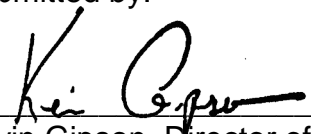
BACKGROUND INFORMATION: The Animal Issues Task Force (AITF) was appointed by City Council to examine current Springfield-Greene County Health Department (SGCHD) animal shelter facilities, policies and procedures, and recommend changes that would improve the effectiveness and quality of services from the standpoint of public safety and animal welfare.

The AITF completed a review of Chapter 18 of the Springfield City Code (SCC) that contains ordinances related to the care and control of domestic animals. The AITF recommended a package of ordinance changes, including a change to SCC that would result in limiting the length of time a dog can be tethered to a fixed point.

Staff researched various approaches to limiting tethering of dogs and settled on a strategy that is currently being utilized in Joplin, Missouri. This approach limits the time an animal can be left on a fixed tether to 30 minutes or for the length of time necessary for the owner to complete a temporary task that requires the animal to be restrained. It also describes the types of physical restraint that can be utilized.

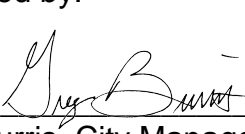
REMARKS: Dogs are social animals, and cannot thrive when social interaction is limited. When restrained outside, dogs become lonely, bored, and anxious. When restrained in this manner, they tend to develop aggressive behaviors. Limiting the time that a dog can be tethered to a fixed point is considered by many animal welfare advocates to be sound public policy. The AITF recommends this change; and staff agrees that this Ordinance change is imperative. The Plans and Policies Committee met on October 26, 2015 to review this proposal and recommends that these ordinance changes be referred to City Council.

Submitted by:



Kevin Gipson, Director of Health

Approved by:



Greg Burris, City Manager