



Legislation Details (With Text)

**File #:** ID 16-902      **Version:** 1      **Name:**

**Type:** Ordinance

**File created:** 7/11/2016      **In control:** City Council

**On agenda:** 8/2/2016      **Final action:**

**Title:** Consider adoption of an ordinance of the City of Denton, Texas amending the provisions of Chapter 6 “Animals” of the Code of Ordinances by adding a definition for enclosure to section 6-2, by changing by the time period for filing a dangerous animal case in section 6-34 to 30 days, by removing section 6 -34(d), and by adding section 6-49 to add provisions to allow the keeping of bees within the city limits of Denton with certain restrictions; providing for a severability clause; providing for a savings clause; providing for a penalty not to exceed \$500 for violations of this ordinance; and providing an effective date.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Exhibit 1 Chapter 6 amendment

Date	Ver.	Action By	Action	Result
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Agenda Information Sheet

**DEPARTMENT:** Environmental Services & Sustainability

**CM/ ACM:** Howard Martin

**Date:** July 26, 2016

**SUBJECT**

Consider adoption of an ordinance of the City of Denton, Texas amending the provisions of Chapter 6 “Animals” of the Code of Ordinances by adding a definition for enclosure to section 6-2, by changing by the time period for filing a dangerous animal case in section 6-34 to 30 days, by removing section 6-34(d), and by adding section 6-49 to add provisions to allow the keeping of bees within the city limits of Denton with certain restrictions; providing for a severability clause; providing for a savings clause; providing for a penalty not to exceed \$500 for violations of this ordinance; and providing an effective date.

**BACKGROUND**

In conjunction with the application to become a Bee City, USA affiliate, Sustainable Denton has been working closely with the Denton County Beekeeper Association and City of Denton Animal Services, to draft a Beekeeping Ordinance to address beekeeping within the city limits.

The draft ordinance language was modeled after existing municipal beekeeping ordinances in north Texas. Officers of the Denton County Beekeeper Association worked closely with Sustainable Denton to ensure that the draft ordinance is beneficial to and protective of both bees and citizenry. A companion resolution designating the City of Denton as a Bee City USA is presented for consideration.

Two situations in the last year have brought to our attention the need to amend the animal control ordinance. The first situation involved a citizen's dog wandering into an unfenced area and getting attacked and killed by another dog. The problem was that the owner of the attacking dog had an "invisible fence." These "invisible fences" work by delivering a shock to a dog if it attempts to leave the "invisible fence" area if it is wearing the appropriate collar. The problem with these "invisible fences" is that there are no visible markings of the boundaries of the "invisible fence" and the "invisible fence" does not prevent the entry of children or other animals onto the property. The amendment to the ordinance will adopt a definition of enclosure for non-rural zoning districts which requires that the enclosure not only physically prevents the escape of the animal contained therein, but also serves to create a physical barrier to the entry of other persons, including small children and other dogs.

The second situation which arose involved the victim of a dog bite missing the two-day deadline for filing a dangerous animal complaint under the city ordinance. The new proposed time frame for filing dangerous animal cases is thirty days from the attack. In this situation, because the attack was on a person and not an animal, we were able to address the issue by filing the case under state law. If that attack had been on another domesticated animal and the two-day time period had lapsed, there would not have been a state law remedy. There has been more than one occasion in the past when a citizen has missed the two-day filing deadline.

### **OPTIONS**

1. Approve ordinance amendments.
2. Direct staff to consider alternatives.

### **RECOMMENDATION**

Animal Services and Sustainability staff recommend approval of Ordinance

### **PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

Bee City Ordinance language presented to Committee on the Environment April 4, 2016.  
City Council Informal Staff Report 2016-046, June 10, 2016.

### **STRATEGIC PLAN RELATIONSHIP**

The City of Denton's Strategic Plan is an action-oriented road map that will help the City achieve its vision. The foundation for the plan is the five long-term Key Focus Areas (KFA): Organizational Excellence; Public Infrastructure; Economic Development; Safe, Livable, and Family-Friendly Community; and Sustainability and Environmental Stewardship. While individual items may support multiple KFAs, this specific City Council agenda item contributes most directly to the following KFA and goal:

**Related Key Focus Area:** Sustainable & Environmental Stewardship  
**Related Goal:** 5.7 Encourage local food production

### **EXHIBITS**

Ordinance

Respectfully submitted:

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