THE CITY OF DORAVILLE
AGENDA ITEM SHEET

Subject: Tethering Of Animals

Sponsor: Councilmembers Maria Alexander
Karen Pachuta

Date of Meeting: Monday, May 17, 2010

Budget Impact: ___Y _X__ N

Budget Impact Amount: $__0_____

Funding Source:
( )Annual
( )Capital
(x)N/A

Regular Meeting	(x)
Work Session	( )
Recommendation	(x)
Policy/Discussion	(x)
Report	( )
Other	( )

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Action Requested:
Add language to our Code Section 4-4 to mirror the DeKalb County ordinance regarding tethering.

History, Facts, Issues:
Historically it seems as if our ordinances addressing animal control/concerns mirror the County's. In this instance our ordinance does not address tethering of animals Numerous calls and e-mails from residents in multiple neighborhoods complaining of animals being tethered outside in the elements, unattended and in some cases without proper shelter. At least one known case of an animal death while being tethered.

Recommended Action:
Add language to our Code Section 4-4 to mirror the DeKalb County ordinance regarding tethering

Department: _____ Department Head: _____

Administrative Comments and Recommendation: _____
_____
_____

Action Taken By Board: _____
_____
_____

Portion Of Existing Doraville Code

Sec. 4-4. Keeping animal under restraint while on owner's property.
(a) It shall be the duty of every owner of an animal to ensure that the animal is kept under restraint, and that precautions are taken to prevent the animal from leaving, while unattended, the real property limits of its owner.
(b) It shall be the duty of every owner of an animal to ensure that the animal is securely and humanely enclosed within a house, building, fenced area, pen, or other enclosure out of which the animal cannot climb, dig, jump or otherwise escape on its own volition. Such enclosure must be securely locked at any time the animal is left unattended. When outside the enclosure but on the owner's property, it shall be the duty of every owner of an animal to ensure that the animal is on a leash and under the control of a competent person; or off leash and obedient to that person's command.
(Ord. No. 06-01, § 1, 1-3-06)

Tethered means an animal attached to a stationary object by a chain, cable or similar device commonly used for the size and type of animal involved. An animal is not considered tethered when the animal is attached to a stationary object, as long as the owner or custodian is physically within reach of the animal. Any tethering device used to tether an animal must be at least ten (10) feet in length.

Proper enclosure means any structure or device used to restrict an animal to a limited amount of space such as a fenced area, electronic animal confinement system, building, house, pen, or other device or structure out of which an animal cannot climb, dig, jump, or otherwise escape.

Sec. 5-3. Keeping animal under restraint while on owner's property.

(a) It shall be the duty of every owner of an animal to ensure that the animal is kept under restraint, and that precautions are taken to prevent the animal from leaving, while unattended, the real property limits of its owner.

(b) It shall be the duty of every owner of an animal to ensure that the animal is securely and humanely enclosed within a proper enclosure as a means of primary restraint. Such enclosure must be securely locked at any time the animal is left unattended. When outside the proper enclosure but on the owner's property, it shall be the duty of every owner of an animal to ensure that the animal is humanely secured by a leash or lead and under the control of a responsible and competent person; or off leash but under the direct control of a responsible and competent person who is physically present with the animal, provided that such animal is obedient to that person's command.

(c) Any animal that is housed outside of its owner's house shall be housed in a proper enclosure that complies with the provisions of this Code. The owner shall also ensure that the proper enclosure contains at least one hundred (100) square feet of open space as that term is defined in Chapter 27 of this Code.

(d) Tethering of an animal is prohibited.

(e) As a secondary means of restraint to a proper enclosure, an animal may be attached to a running cable line or trolley system providing that:

(1) A running cable line or trolley system is set inside a proper enclosure;

(2) Only one (1) animal may be attached to each running cable line or trolley system;

(3) No animal may be attached to a running cable line or trolley system for more than twelve (12) hours in a twenty-four-hour period;

(4) No animal may be attached to a running cable line or trolley system between the hours of 10:00 p.m. and 6:00 a.m.;

(5) Tethers and cables attaching the animal to the running cable line or trolley system must be made of a substance which cannot be chewed by

the animal and shall not weigh more than five (5) percent of the body weight of the animal tethered;

(6) A running cable line or trolley system must have a swivel installed at each end and be attached to a stationary object that cannot be moved by the animal;

(7) The running cable line or trolley system must be at least ten (10) feet in length and mounted at least four (4) feet and no more than seven (7) feet above ground level;

(8) The length of the tether from the running cable line or trolley system to the animal's collar should allow access to the maximum available exercise area and allow the animal free access to food, water, and shelter;

(9) Be attached to a properly fitted harness or collar not used for the display of a current rabies tag and other identification; and with enough room between the collar and the dog's throat through which two (2) fingers may fit. Choke collars and pinch collars are prohibited for the purpose of tethering an animal to a running cable line or trolley system; and

(10) Be tethered at sufficient distance from any other objects to prohibit the tangling of the cable, from extending over an object or an edge that could result in injury of strangulation of the animal and be of sufficient distance from any fence so as to prohibit the animal access to the fence.