

# City of Mesquite, Texas

## Legislation Details (With Text)

**File #:** 18-3570      **Version:** 1      **Name:** Chapter 4 Inclement Weather for Dogs  
**Type:** Agenda Item      **Status:** Passed  
**File created:** 7/9/2018      **In control:** City Council  
**On agenda:** 7/16/2018      **Final action:** 7/16/2018  
**Title:** An ordinance amending Chapter 4 of the City Code amending regulations regarding inclement weather requirements for dogs kept outdoors.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance - Dogs

| Date      | Ver. | Action By    | Action   | Result |
|-----------|------|--------------|----------|--------|
| 7/16/2018 | 1    | City Council | Approved | Pass   |

An ordinance amending Chapter 4 of the City Code amending regulations regarding inclement weather requirements for dogs kept outdoors.

Neighborhood Services Staff was requested to review and recommend modifications to the recently adopted ordinance regarding the outdoor confinement of dogs and inclement weather restrictions. The recommended revisions address issues identified by residents and clarifies inclement weather violations.

The proposed recommendations include the following:

- Section 4-1 - Amends Section by deleting the definition of “shelter” and adding definitions for “freeze warning”, “heat warning” and “National Weather Service”. The omission of shelter is due to the fact that a shelter is defined in Section 4-58 (b)(4).
- Amend Section 4-14, Inclement weather requirements and outdoor water supply.
  - (a) It shall be unlawful for an owner to keep a dog outdoors or to allow a dog to be kept outdoors in any of the following circumstances:
    - (1) A freeze warning has been issued by the National Weather Service and the temperatures forecasted by the warning are present.
    - (2) A heat warning has been issued by the National Weather Service and the temperatures forecasted by the warning are present.
    - (3) A hurricane, tropical storm or tornado warning has been issued for the jurisdiction by the National Weather Service.
    - (4) The dog does not have access to a tip-proof water supply.
- Additionally it modifies the defense of prosecution to read as follows:
  - (b) It is a defense to prosecution that the owner is present with the dog and, temporarily and actively, transporting the dog, allowing the dog to relieve itself or exercising the dog.
  - (c) It is a defense to prosecution that the dog has unimpeded access to a climate-controlled structure or to shelter capable of providing cover and protection from heat, cold and other environmental

conditions.

- Section 4-101 - This section outlines when the city impounds an animal to the City's Shelter. Staff recommends removing subsection (6) in its entirety and adding a new subsection (6) to read as follows:  
(6) Any animal that is primarily kept outside and has not been provided access to proper shelter, and/or who has not been provided with daily access to potable water and food.

**Recommended/Desired Action**

Staff recommends approval of the ordinance.

**Attachment(s)**

Ordinance

**Drafter**

Raymond Rivas

**Head of Department**

Raymond Rivas