

# **Chapter 5 Ordinance Revision**

**Dangerous Dog Designation Process**

**Agenda Item #24**

**October 20,2010**

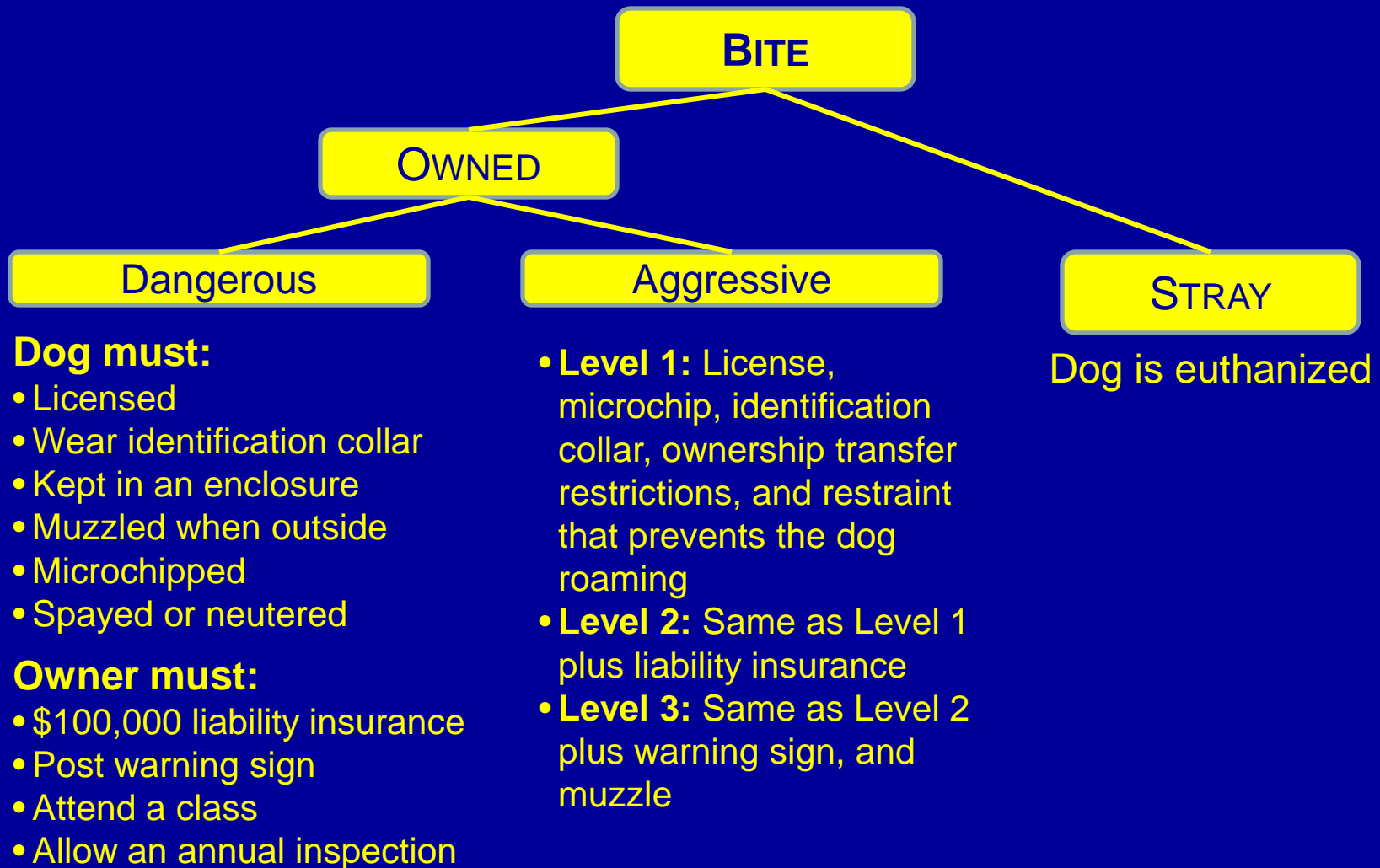
# Summary

- **Proposed change eliminates the need for formal hearings to designate a dog as “Dangerous”**
- **Change streamlines process for both the citizen and the City**
- **Citizens retain the right to appeal decisions to Municipal Court.**

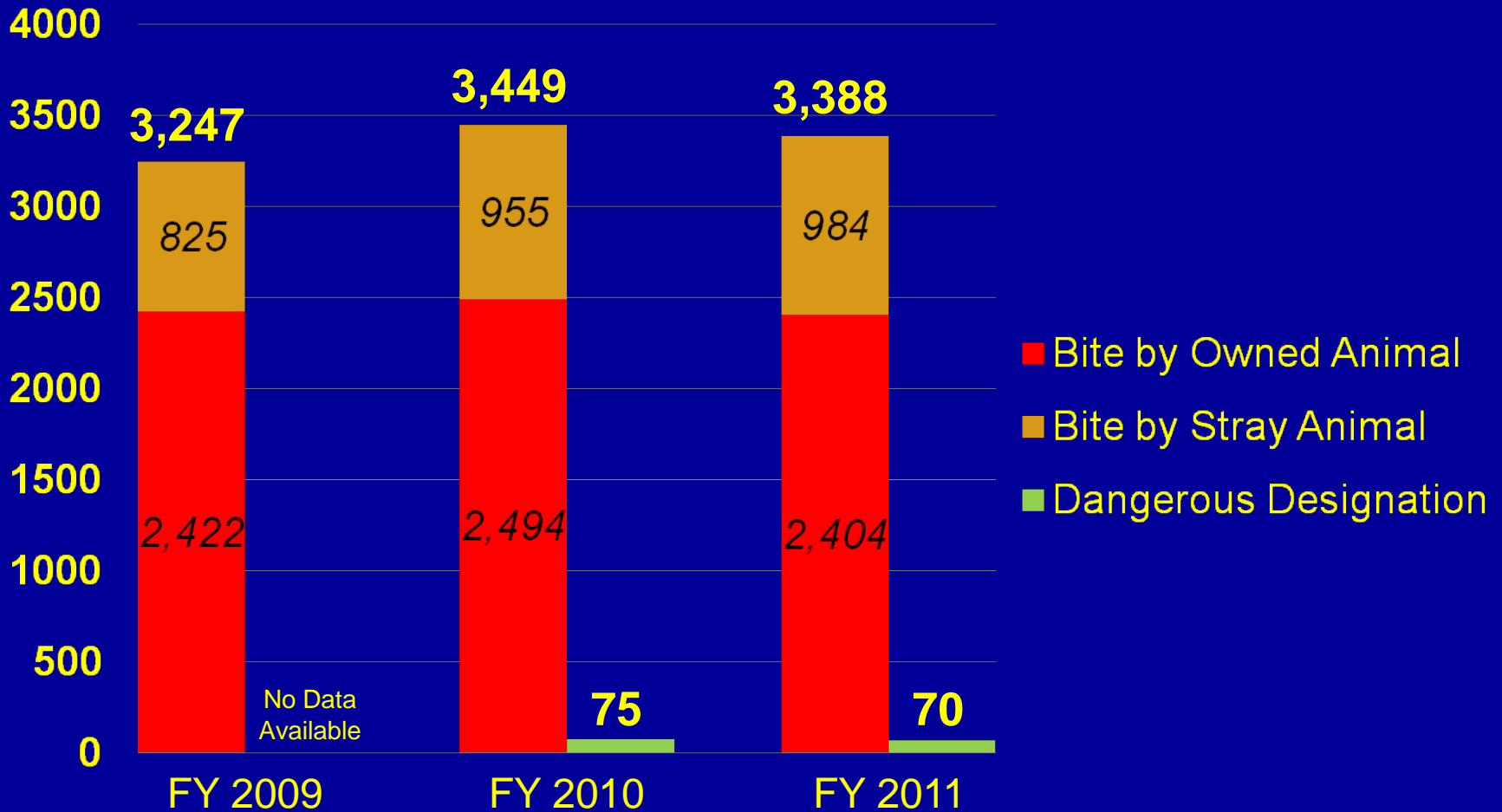
# Dangerous Dog Definition

- Makes an unprovoked attack that causes bodily injury outside the animal's enclosure
- Causes a person to reasonably believe that the animal will attack and cause bodily injury
- ***Aggressive Animals*** are those that fit the criteria of Dangerous, but the bite occurs on the owner's property

# When Bites Occur



# Dog Bites in San Antonio



# Dangerous Dog Victims

<b>Scenario:</b>	Attacked while trimming bushes in front yard
<b>Victim Age:</b>	64 years old
<b>Part of the body bitten:</b>	Left arm (severe)
<b>Provocation:</b>	None
<b>Dog Type:</b>	American Staffordshire Terrier (Commonly referred to as "Pitbull") Male, 3 years old Named "Kujo"
<b>Outcome:</b>	Dog euthanized by ACS

# Dangerous Dog Victims

<b>Scenario:</b>	Attacked in neighborhood by three of neighbor's roaming dogs
<b>Victim Age:</b>	Minor
<b>Part of the body bitten:</b>	Right Arm
<b>Provocation:</b>	None
<b>Dog Type:</b>	Three American Staffordshire Terrier (Commonly referred to as "Pitbulls")
<b>Outcome:</b>	Dogs euthanized by ACS

# Process Revision

## Current



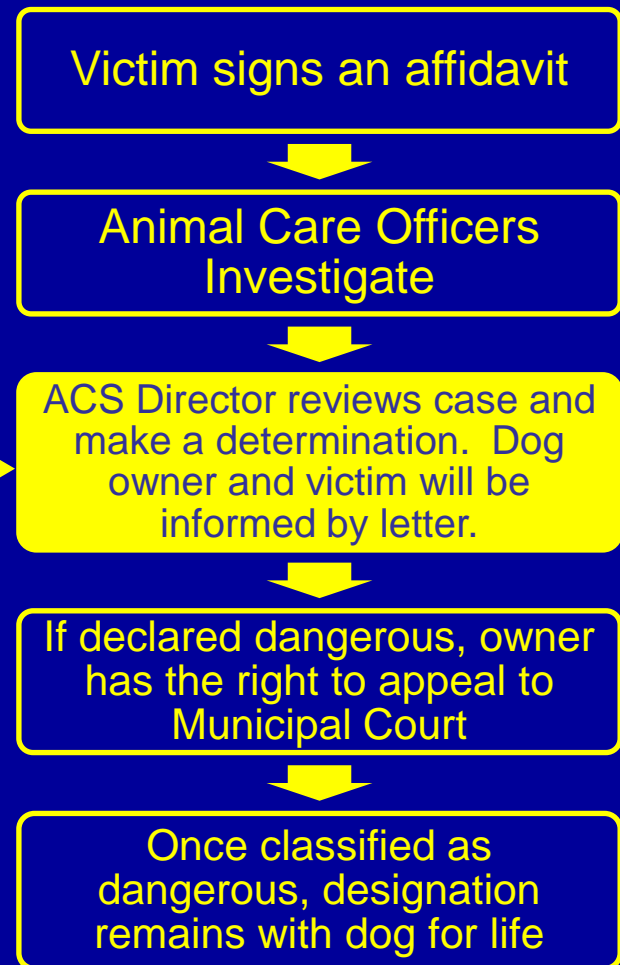
### Requires:

- Hearing Officer
- 2 Investigating Officers
- 3 ACS staff on panel per hearing

### Requires:

- ACS Director Review

## Proposed



# Deficiencies in Current Process

- **Hearing process unnecessary because opinion of ACS already documented in the investigation**
- **Burden of proof was unnecessarily placed on victim whereas it should reside with ACS investigator**

# Benefits

- **Proposed change simplifies process by allowing Director to designate dog as dangerous without formal hearing**
- **Eliminating hearing process saves City resources and citizen time**
- **Dog owner retains right to appeal**
- **Affidavit and investigation parts of process remain unchanged**

# Recommendation

- **Staff recommends approval of proposed recommendations to the City's Animal Care Regulations in Chapter 5 of City Code**
  - **Has been presented to ACS Advisory Board**
- **Changes will reduce processing time, have the facts decided in court, and encourage responsible pet ownership**