

GARLAND HEALTH DEPARTMENT
ANIMAL SERVICES

Subject: Adequate Fencing Enclosures

Issue Date: August 1, 2010

Approved by: Richard Briley, Managing Director of Health
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The purpose of this departmental directive is to provide uniform enforcement of Section 22.18(J) of the City of Garland Code of Ordinances which states:

“Maintenance of enclosures. An owner shall maintain all enclosures for the owner’s animals in a state of good repair and in such a manner as to prevent the animal so enclosed from escaping or running at large.”

Specifically, this directive is intended to clarify the type of enclosures necessary to adequately maintain American Staffordshire Terriers, pit bull dogs, American Bull Dogs, or crossbreeds thereof within the enclosures. For the purpose of this directive, all of the aforementioned breeds or crossbreeds thereof will be referred to as pit bull dogs.

Specific enclosure requirements are necessary based on the incidence of pit bull dogs running at large, the incidence of pit bull dogs involved in bites while running at large, and the physical characteristics common to pit bull dogs that provide them with the capability to escape confinement from enclosures not meeting the following standards. Additionally, pit bull dogs have specific physical capabilities to inflict serious damage when involved in a bite or attack on a person or other animal.

This directive does NOT apply to dangerous dogs as defined by Sec. 822.041(2), Tex. Health Code. If a dog otherwise covered by this directive is a dangerous dog within the meaning of Sec. 822.041, Tex. Health Code, the provisions of Sec. 822.042, Tex. Health Code govern the restraint of the dog.

Enclosure Requirements

All pit bull dogs not registered with Garland Animal Services on or before the effective date of this policy shall, at all times, be maintained within an enclosure that meets the following requirements, maintained within a home with all doors or windows closed (doors or windows that are not accessible to the dog(s) may remain open), or on a leash held by the dog owner or other responsible person.

Pit bull enclosures shall be a minimum of six (6) feet in height, measured from the ground inside the enclosure. The fence must be constructed from durable materials such as wood planking at least one-half inch thick (0.50 inches) or chain link type fencing, provided that it is 11 gauge (or thicker). Fencing slats or chain links may not have gaps greater than two inches. The fencing material must be sturdy and firmly attached to brace posts. Brace posts shall be buried in concrete to a depth of no less than eighteen (18) inches. Animal Services may require fencing to extend below ground if there is evidence that dogs are attempting to dig under the fence. All enclosure materials shall be maintained in good condition and must be free from damage or defects that may weaken the fence and facilitate escape of the dog(s). Entries/exits from the enclosure (other than doors leading into buildings) shall be equipped with a locking device that keeps the gate securely closed.

These enclosure requirements shall not apply if all the pit bull dogs within an enclosure were registered with Garland Animal Services on or before the effective date of this policy. Pit bull dogs that are observed or caught running at large shall not qualify for this exemption regardless of the dog's original date of registration.

Enforcement

For the purposes of enforcing enclosure requirements, Animal Service Officers (ASOs) should only consider a dog as a pit bull dog if the animal exhibits traits listed by the American Kennel Club for American Staffordshire Terriers. The purpose of this directive is to provide enclosure requirements based on the physical capabilities of the pit bull breed; therefore, the directive should only be implemented in cases of animals that are obviously pit bull dogs or crossbreeds thereof. Cases involving crossbreeds with marginal characteristics or traits listed by the AKC for Staffordshire Terrier may be referred to the Animal Services Manager and/or City Veterinarian for a final determination.

ASOs shall enforce this policy consistently at each address where pit bull dogs are observed. Initial violations shall be noted on inspection reports and residents shall be given a minimum of 30 days to comply (provided that the existing enclosure is structurally sound and has no gaps or holes through which the dogs can readily escape). ASOs should reference the enforcement policy for progressive enforcement if compliance is not gained after the initial compliance date.

Whenever enclosure upgrades are required, ASOs must notify the responsible individual that a permit must be obtained from Building Inspection prior to major renovation or construction of fencing.