

**CITY OF EL PASO,
TEXAS AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**



DEPARTMENT: Animal Services

AGENDA DATE: January 6, 2026

PUBLIC HEARING DATE: January 20, 2026

CONTACT PERSON NAME: Michael D. Wachsmann,
Animal Services Interim Director

PHONE NUMBER: (915)212-8742

DISTRICT(S) AFFECTED: All

STRATEGIC GOAL: Goal 8 - Nurture and Promote a Healthy, Sustainable Community

SUBGOAL: 8.3 Enhance animal services to ensure El Paso's pets are provided a safe and healthy environment

SUBJECT:

Request that the Mayor of the City of El Paso sign an ordinance amending Title 7 (Animals), Chapter 7.12 (Dogs and Cats), to add Section 7.12.070 (Vicious Dogs); and an ordinance amending Title 7 (Animals), Chapter 7.12 (Dogs and Cats), to add Section 7.12.080 (Aggressive Dogs).

BACKGROUND / DISCUSSION:

The Texas Health and Safety Code addresses only animal attacks on humans, leaving a gap in regulation for animal-on-animal attacks and repeat aggressive behavior. To increase public and pet safety and create consistent enforcement procedures, this ordinance:

Adds Section 7.12.070 – Vicious Dogs and Section 7.12.080 – Aggressive Dogs to the City Code. Defines investigative procedures, owner responsibilities, secure confinement, signage, leash restraint, registration, microchipping, and completion of a responsible pet owner course. Establishes due process: notice of designation, judicial review, compliance hearings, appeals, and potential removal of designation after sustained compliance. Allows impoundment or seizure of non-compliant animals.

This ordinance will work in coordination with a separate ordinance amending definitions in Title 7.04 and a separate resolution amending Schedule C to establish a \$50 registration fee for Vicious Dogs.

COMMUNITY AND STAKEHOLDER OUTREACH:

N/A

PRIOR COUNCIL ACTION:

N/A

AMOUNT AND SOURCE OF FUNDING:

Amount: N/A

Funding Source: N/A
Account: N/A

REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:

N/A

NAME	AMOUNT (\$)
NA	NA

*******REQUIRED AUTHORIZATION*******

DEPARTMENT HEAD: Michael Wachsmann
Michael D. Wachsmann, Animal Services Interim Director

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 7 (ANIMALS), CHAPTER 7.12 (DOGS AND CATS) TO ADD SECTION 7.12.070 (VICIOUS DOGS); AND AN ORDINANCE AMENDING TITLE 7 (ANIMALS), CHAPTER 7.12 (DOGS AND CATS) TO ADD SECTION 7.12.080 (AGGRESSIVE DOGS).

WHEREAS, Section 822.041 the Texas Health and Safety Code only addresses animal attacks to humans, as such, the City of El Paso has seen a gap in the law for animal-on-animal attacks; and

WHEREAS, the City of El Paso Animal Services in order to provide a safer community for both the public and pets are adding two new municipal code categories “Vicious dogs” and “Aggressive dogs”, which align with the City of El Paso’s broader goals of reducing animal related injuries, preventing repeat incidents, and fostering a safer community for the people and pets of the City of El Paso; and

WHEREAS, the City of El Paso Animal Services is committed to protecting public safety, promoting responsible pet ownership, and safeguarding the health and welfare of animals within the community by promoting consistent enforcement across the City of El Paso, and support evidence-based decision making in dog-related investigations; and

WHEREAS, the El Paso City Council wishes to amend Title 7, Chapter 7.12.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

SECTION 1. That Title 7 (Animals), Chapter 7.12 (Dogs and Cats) of the El Paso City Code is hereby amended to add a new section 7.12.070 (Vicious dogs), as follows:

7.12.070 - Vicious dogs.

- A. Any person may report a vicious dog incident to the department via a sworn statement.
- B. The department shall investigate the incident promptly but within no more than 30 calendar days.
- C. Vicious Dog.
 - 1. Within 30 calendar days, the owner of a dog that has been designated a vicious dog by the director shall:
 - a. Ensure the dog is confined within a secure enclosure when on the owner’s premises,
 - b. Control the dog on a secure leash or by some other equivalent means of direct physical restraint when off the owner’s premises,
 - c. Post a visible “Warning: Vicious Dog” sign on the entrance(s) to the secure enclosure at the owner’s premises,
 - d. Complete a responsible pet owner course approved for Texas courts,

- e. Provide proof of current vaccination, registration, and microchip,
 - f. Register the dog with the department, and pay a fee as determined in the Schedule C,
 - g. Ensure the dog is wearing the issued vicious dog tag anytime while off the owner's premises,
 - h. Notify the department of any changes of address, or the transfer of ownership of the vicious dog, and
 - i. Apprise a new owner of the vicious dog designation prior to delivering the vicious dog.
- 2. A subsequent owner of a vicious dog is subject to the requirements established by this title.
- 3. The department may impound, or request a warrant to seize a vicious dog if the owner is found out of compliance after 30 calendar days from the date of designation by the director.
- D. The director, in his or her discretion, may extend the time allotted beyond 30 calendar days to allow the owner of a vicious dog additional time to come into compliance.
- E. Notification, Designation, and Judicial Review.
 - 1. The owner shall be notified in writing of his or her dog being deemed a vicious dog by the director by hand delivery, posting notice on the front door of the property where the vicious dog resides, or certified mail, specifying the designation and required actions.
 - 2. An owner may challenge a vicious dog designation from the director within 15 calendar days of receiving notice by filing a Request for Judicial Review with a copy of the designation at the El Paso Municipal Court and serving the department a copy of the same by U.S. mail.
 - 3. The court's review of the designation is final.
- F. Compliance Hearings and Disposition.
 - 1. A hearing may be held on or after the 30th calendar day from the date of the notification of the vicious dog designation to review:
 - a. Compliance with requirements established in this title.
 - b. Disposition of a vicious dog not in compliance includes any combination of the following:
 - i. Removal from city limits,
 - ii. Euthanasia, if the court finds the vicious dog poses an ongoing threat to public safety, or animal welfare,
 - iii. Seizure of the vicious dog, or
 - iv. Confinement of the vicious dog by the department until compliance is achieved and fees for administration, and impoundment are paid by the owner.
 - c. The owner may present evidence and witnesses at the hearing.
- G. Appeals.
 - 1. An owner may file a Notice of Appeal on the El Paso Municipal Court's ruling from a compliance hearing within 15 calendar days to the El Paso Municipal Court of Appeals.

2. The Notice of Appeal must include a copy of the designation and court order, and must be served on the department within the 15th calendar day timeframe by means of U.S. mail.
 3. The decision from the El Paso Municipal Court of Appeals is final.
- H. Removal of Designation.

After three years of compliance the owner of a vicious dog may petition the department to remove the vicious dog designation along with proof that the dog has been spayed or neutered.

SECTION 2. That Title 7 (Animals), Chapter 7.12 (Dogs and Cats) of the El Paso City Code is hereby amended to add a new section 7.12.080 (Aggressive dogs), as follows:

7.12.080 - Aggressive dogs.

- A. Any person may report an aggressive dog incident to the department via a sworn statement.
- B. The department shall investigate the incident promptly but within no more than 30 calendar days.
- C. Aggressive Dog.
 1. Within 30 calendar days, the owner of a dog designated aggressive by the director shall:
 - a. Ensure the dog is confined within a secure enclosure when on the owner's premises,
 - b. Control the dog on a secure leash or by some other equivalent means of direct physical restraint when off the owner's premises,
 - c. Post a visible "Warning: Aggressive Dog" sign on the entrance(s) to the secure enclosure at the owner's premises, and
 - d. Complete a responsible pet owner course approved for Texas courts.
 2. A subsequent owner of an aggressive dog is subject to requirements established by this title.
 3. The department may impound or request a warrant to seize an aggressive dog if the owner is found out of compliance after 30 calendar days from the date of designation by the director.
- B. The director, in his or her discretion, may extend the time allotted beyond 30 calendar days to allow the owner of an aggressive dog additional time to come into compliance.
- C. Notification, Designation, and Judicial Review.
 1. The owner shall be notified in writing of his or her dog being deemed an aggressive dog by the director by hand delivery, posting notice on the front door of the property where the aggressive dog resides, or certified mail, specifying the designation and required actions.
 2. An owner may challenge an aggressive dog designation from the director within 15 calendar days of receiving notice by filing a Request for Judicial Review with a copy of the designation at the El Paso Municipal Court and serving the department a copy of the same by U.S. mail.
 3. The court's review of the designation is final.

D. Compliance Hearings and Disposition.

1. A hearing may be held on or after the 30th calendar day from the date of the notification of the aggressive dog designation to review:
 - a. Compliance with requirements established in this title.
 - b. Disposition of an aggressive dog not in compliance includes any combination of the following:
 - i. Removal from city limit,
 - ii. Euthanasia, if the court finds the aggressive dog poses an ongoing threat to public safety or animal welfare,
 - iii. Seizure of the aggressive dog, or
 - iv. Confinement of the aggressive dog by the department until compliance is achieved and fees for administration, and impoundment are paid by the owner.
 - c. The owner may present evidence and witnesses at the hearing.

E. Appeals.

1. An owner may file a Notice of Appeal on the El Paso Municipal Court's ruling from a compliance hearing within 15 calendar days to the El Paso Municipal Court of Appeals.
2. The Notice of Appeal must include a copy of the designation and court order, must be served on the department within the 15th calendar day timeframe by means of U.S. mail.
3. The decision from the El Paso Municipal Court of Appeals is final.

F. Removal of designation.

After one year of compliance the owner of an aggressive dog may petition the department to remove the aggressive dog designation along with proof the dog has been spayed or neutered.

SECTION 3. Except as herein amended, Title 7 (Animals) of the El Paso City Code shall remain in full force and effect.

(Signatures on next page)

(Signature Page)

ADOPTED this ____ day of _____, 2026.

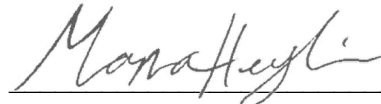
CITY OF EL PASO

Renard U. Johnson
Mayor

ATTEST:

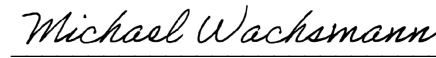
Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Mona M. Heydarian
Assistant City Attorney

APPROVED AS TO CONTENT:



Michael D. Wachsmann, Interim Director
Animal Services Department