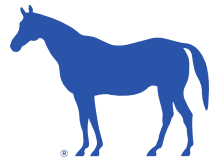


ANIMAL CARE & CONTROL ORDINANCE UPDATES

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Social Services and Public Safety Committee
June 9th, 2026*



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Background

Origins of Needs for Ordinance Review

- In the Summer of 2025, residents and advocates raised concerns regarding animals being left outdoors during periods of extreme heat and unsafe weather conditions.
- Questions emerged regarding whether the existing ordinance provided sufficient clarity around intervention, enforcement authority, and minimum standards of care in those situations.
- Those concerns prompted broader discussions among elected officials, Animal Care & Control, and the Fayette County Attorney's Office regarding whether portions of the ordinance should be reviewed and updated.
- As conversations progressed, additional areas were identified where ordinance language could benefit from modernization or clarification based on operational experience and current best practices.



Background (cont.)

Collaborative Review

The ordinance review process included collaboration among:

- Fourth and Fifth District Council offices
- Animal Care & Control staff
- The Fayette County Attorney's Office
- LFUCG Department of Law staff
- Community members and advocates

Focus of the Review

The review process evaluated whether the ordinance:

- Reflected current operational realities
- Provided clear enforcement standards
- Adequately addressed unsafe weather situations
- Supported humane treatment and public safety goals
- Offered sufficient procedural clarity for enforcement and impoundment matters

As a result of the review process, several necessary revisions were identified.



Ordinance Revisions

Goals of the Ordinance Revisions

The proposed revisions were developed to:

- Modernize portions of the ordinance
- Clarify standards and enforcement authority
- Address gaps identified through constituent concerns and operational experience
- Improve consistency for Animal Care & Control operations
- Better align ordinance language with state law and public safety expectations

Areas Identified for Revisions

- Unsafe weather protections
- Tethering and restraint standards
- Cost of care provisions
- Impoundment and custody of victimized animals
- Enforcement and administrative clarity



Changes to Sec. 4-2. - Care and Treatment of Animals

Updated Tethering Language

- Revises the wording from “dog” to “animal” to ensure the ordinance applies to other types of pets that may be tethered or tied outdoors.
- The current ordinance prohibits the use of prong and pinch collars. These collars are commonly used for training and control, but the existing language is outdated and has not been enforced.
- The updated language permits the use of prong and pinch collars as collars, while maintaining the prohibition on tethering or tying out a dog with a metal collar.



Changes to Sec. 4-2. - Care and Treatment of Animals (cont.)

Adds: “(6) *Unsafe Weather Conditions* means any extreme hot or cold temperature, and/or any weather event that creates extreme conditions that compromise animal safety. During unsafe conditions, Fayette County will typically be under a warning, advisory or other special weather statement including but not limited to during activation of Fayette County, Kentucky Emergency Operations Plan or LFUCG Office of Homelessness Prevention and Intervention Plan.”

Then makes it illegal: (b)(6) For any person to confine and leave unattended, any domestic animal (excludes cattle, fowl and equine) in unsafe weather conditions.



Changes to Sec. 4-2. - Care and Treatment of Animals (cont.)

- **“Confine”** covers domestic animals left outdoors tethered, kenneled, loose in a fenced yard, or left in a tent.
- **“Unattended”** means an animal left in those conditions without a person present.
- The range for the LFUCG Office of Homelessness Prevention and Intervention plan is a heat index over 95°F and temperatures under 32°F.



Revisions to Sec. 4-9. & Why...



- Allows Animal Control Officers to seize and impound any animal or fowl which is the subject of a violation of the provisions of Section 4-2 (local cruelty to animals).

However, it does not tell us what to do with the animal...



Revisions to Sec. 4-9. & Why...

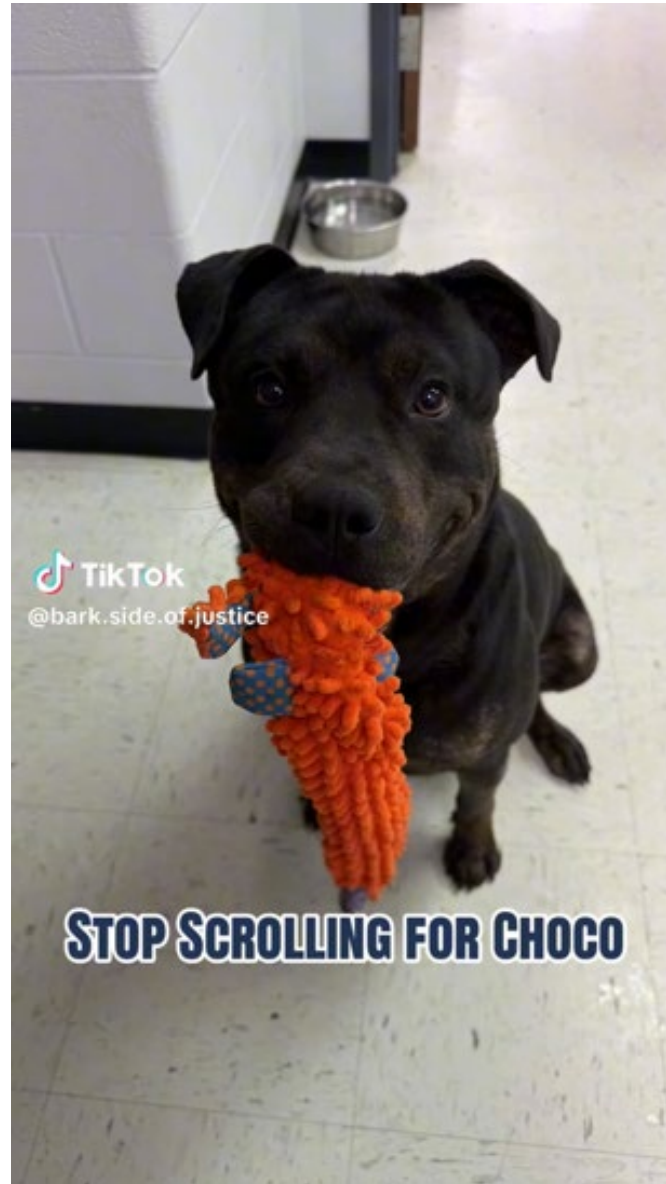
Without a procedural law in place, if the owner/defendant wants their animal back they can:

1) Reclaim their animal

OR

2) Animal Control can retain the animals until after the court case. After the court case we have no legal authority to hold them

Choco's Story





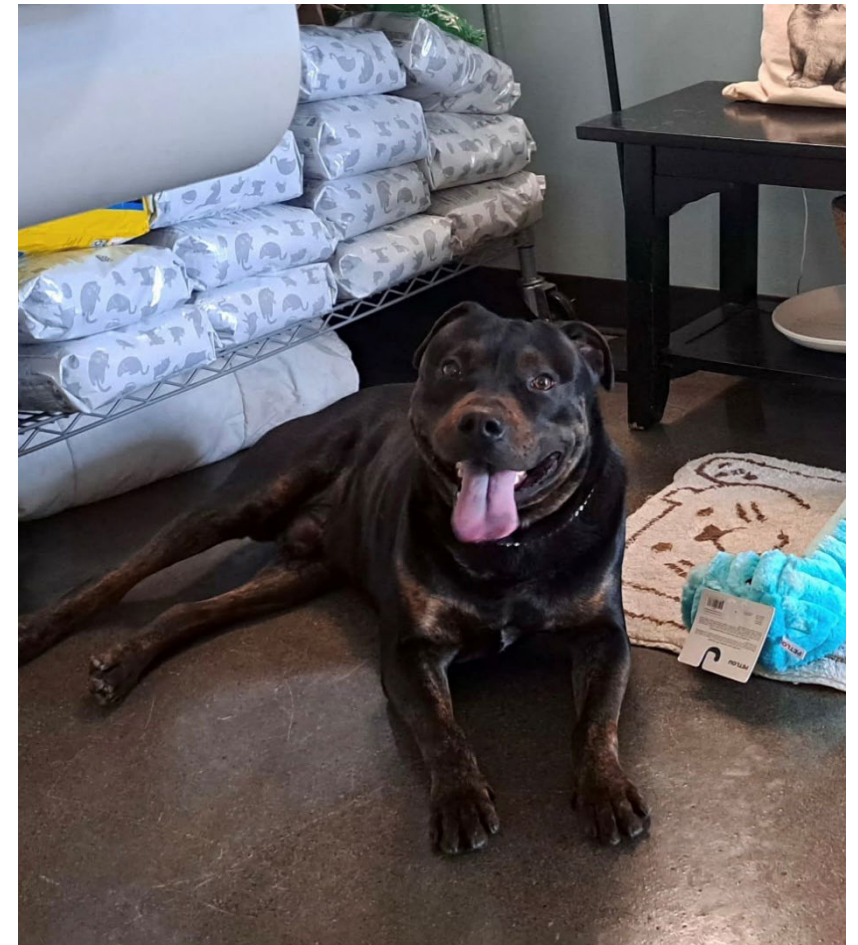
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“Morty” - 264 days in protective custody



“Richard” – 248 days in protective custody



“Choco” – 565 days in protective custody

Expanding Sec. 4-9.

- Cost of Care laws are already in use in over 40 states to prevent shelters from exorbitant care costs.
- Owner/defendant can either post a recurring bond to Animal Control for the animals' care while the case is pending or forfeit ownership of them.

How the Process Works

- **Initial Hearing:** Shortly after animals are legally seized, the court holds a hearing to determine if there was probable cause for the seizure.
- **The Bond Option:** If probable cause is found, the judge sets a bond (typically in 30-day increments) calculated to cover the animals' food, shelter, and veterinary costs.
- **The Forfeit Option:** If the defendant cannot or refuses to pay this bond, they must forfeit ownership of the animals. This allows shelters to put the animals up for adoption or transfer them to rescues rather than holding them in legal limbo.

Questions?



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