



CITY OF TOPEKA

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MEMORANDUM

To: Public Health and Safety Committee
From: Kelly J. Trussell, Chief of Prosecution
Re: Amendments to Dangerous Dog Ordinance
Date: May 20, 2025

The purpose of this memo is to explain the proposed amendments to the Dangerous Dog Ordinance (TMC 6.15.170).

The first proposed amendment is within (a)(2), regarding the time allowed for the owner's compliance with the dangerous dog conditions that are imposed by the court upon conviction. The purpose of the first amendment is to allow for the municipal judge to have discretion in granting an extension of time to comply with the conditions, upon a finding of good cause. Currently, the owner is allowed only 15 days to comply with the conditions, and if the owner cannot comply, the dog must be destroyed. 15 days is more than enough time to comply with the conditions *if* the dog has already been spayed or neutered. However, 15 days is not enough time to allow completion of that procedure with longer scheduling times at licensed veterinary offices. This amendment allows the judge to have discretion over the extension of time, should the owner need time to address the sterilization.

The second proposed amendment is within (b), regarding automatic release of the dog to the humane society upon the owner failing to appear to the first appearance. The current wording of this ordinance does not address any situations of the owner's failure to appear to subsequent settings. Often, the owner appears to the first appearance but then fails to appear at other later settings (arraignments, motions, trial, or sentencing). This means that the dog is held indefinitely at the humane society, often for many months and sometimes over a year. The amendment would release the animal upon *any* failure to appear to a court setting for the case, preventing long extended holds on dogs at the humane society.

We are recommending adoption of these two proposed amendments to TMC 6.15.170.