



CITY OF TOPEKA

CITY COUNCIL
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EXCERPT

CITY OF TOPEKA, Topeka, Kansas, June 18, 2025. The Public Health & Safety Committee members met at 11:30 A.M. with the following Committee members present: Karen Hiller (Chair) and Brett Kell. Absent: Christina Valdivia-Alcala and David Banks

The following is an excerpt of the draft minutes from the meeting:

APPROVAL to proceed to the Governing Body for action for Cruelty to Animals

Cruelty to Animals and Dangerous Dogs Ordinances

City Attorney Amanda Stanley spoke to two different ordinances having proposed amendments. The purpose of the first one is to change Cruelty to Animals' ordinance TMC 6.15.170. It does change some definitions and the requirements for providing fresh water, the change is on page one (a)(3). and it changes it from on a regular basis to at all times. Also page four (c) about then the owner if they're reasonably known about, it may petition the court for transfer of the animals, this deals with performance bonds which is very important and is causing significant challenges and costs. The second ordinance is an amendment Dangerous Dog ordinance TMC 6.15.170 (a)(2) and (b) this specifically very much about making it where we don't have dogs that are at Helping Hands for years without any reimbursement for the city for those costs. They don't get a great quality of life when they're on a dangerous dog hold, they don't get time the yard and get other things. So, we want to make sure owners that have dogs in court are paying a responsible bond to cover their costs, as well as making it where the court has some flexibility moving forward.

Chief of Prosecution Kelly Trussell spoke to the importance of the ordinance amendments as it relates to the prosecution of cases.

Animal Control Supervisor Jessica Bowers shared her professional experiences and stated a dog has been held for 19 months resulting in over \$9,000 in court costs. She stated the amendment would force owners to be held accountable.

Committee Chair Hiller inquired about what happens to the dogs and what will change for those dogs that have been picked up and held for long periods of time.

Chief of Prosecution Trussell reported that the Helping Hands Humane Society would determine whether a dog was adoptable and noted at least 99% of the dogs involved in these cases are adoptable.

Animal Control Supervisor Bowers reported Animal Control cases occupy approximately 25% of the Humane Society's holding capacity and the proposed changes will help with this issue significantly. She stated Helping Hands Humane Society Behavior Director Margaret Price strongly supports the amendments because it considers the welfare of dogs as well as addressing capacity issues for the humane society.

Committee member Brett Kell referenced single incidents where dogs are labeled as dangerous. He spoke in support of assessing the animals to be considered for foster care or released back to the owner instead of being kenneled 24/7.

Chief of Prosecution Trussell reported if a dog is on hold and the owner wants it to be returned, pending litigation of that charge, they can file a motion for early release. She stated they base their decision on whether the owner can comply with the dangerous dog conditions in order to protect the public from the dog until it is adjudicated - whether it is actually dangerous or not, and if they are able to comply with conditions to keep people safe from harm, the dog is released. She noted many dogs are released when motions are filed, however, those motions must be filed by the owner for the dog to be released.

Animal Control Supervisor Bowers stated the ordinance allows Animal Control Officers to seize animals at their discretion and a lot of the animals have been dealt with multiple times. She reported keeping dogs in kennels decreases the odds of being adopted or fostered, and dogs can be cited as dangerous for attacking a chicken or attacking a child.

City Attorney Amanda Stanley clarified the change in process and stated as a municipal government, they cannot seize property without a valid ordinance in place - which in these cases are the dogs. She reported that when owners fail to make an appearance to answer charges in court and do not post bond for the dog the City must have a legal justification to seize

the dogs and release them to the Helping Hands Humane Society so the dogs can be adopted out to a loving family.

Chief of Prosecution Trussell reported the cost to prosecute these types of cases was approximately \$60,000 in 2023, \$70,000 in 2024, and \$60,000 in 2025 (January to May).

The consensus of Committee Chair Hiller and Committee member Brett Kell was to move proposed amendments forward to Governing Body.
