



# City of San Antonio Animal Care Services

4710 State Highway 151

San Antonio, TX 78227

[www.saacs.net](http://www.saacs.net)

(210) 207-4PET



## Excess Animal Permit

EXCESS ANIMAL PERMIT: \$25.00

APPLICANT'S COMPLETE LEGAL NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ ZIP: \_\_\_\_\_

TELEPHONE NUMBER: \_\_\_\_\_ EMAIL: \_\_\_\_\_

ADDRESS WHERE ANIMAL(S) WILL BE HOUSED: \_\_\_\_\_

	Age	Sex M/F/S/N	Species	Breed	Coloring	Name	Rabies Vacc. Date	Microchip # (livestock ID Type)
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								

### **APPLICANT CERTIFICATION**

I certify that the information provided in this application is true and correct and that any false statement may result in the denial or future revocation of the Animal Permit, if approved. I also agree to abide by all conditions of approval and municipal code requirements if this application is approved.  
 I further understand that any violation of the San Antonio Municipal Code and/or to the Animal Permit conditions of approval shall constitute grounds for the revocation of an approved Animal Permit.

Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_

**NOTE: By signing this application, you are certifying that all requirements have been met.**

### **PERMIT FEES**

EXCESS ANIMAL PERMIT: \$25.00 (1 yr. permit) and Inspection and subsequent re-inspection fee: \$25.00

**MUST BE PAID IN FULL. NO REFUNDS ARE PROVIDED.**

**RECCOMENDATION**

APPROVED       DENIED

PERMIT NUMBER: \_\_\_\_\_

Comments: \_\_\_\_\_

Officer's Signature: \_\_\_\_\_

**FINAL ACTION**

Approved by: \_\_\_\_\_

Effective Date: \_\_\_\_\_

## PLEASE READ COMPLETELY AND OBTAIN THIS PORTION

---

### Section 5-107- Animal Limits; excess animal permit

- (a) A maximum number of eight (8) cats or five (5) dogs, or an aggregate number of eight (8) is permitted at a residence. In order to have more dogs and/or cats than this chapter allows at a residence, an owner must apply for an excess animal permit which shall be valid for one (1) year.

#### **The criteria used to evaluate the granting of a dog or cat permit are as follows:**

(1) All dogs and cats for which a permit is required must be sterilized, unless the dog(s) or cat(s) qualifies for a certified medical exception by a licensed veterinarian or is under four (4) months old.

(2) All dogs and cats must be currently vaccinated for rabies.

(3) All dogs and cats must have a registered microchip.

(4) The dogs and/or cats must not be housed exclusively outside and no more than five (5) dogs may be housed outside between the hours of 10:00 p.m. and 6:00 a.m.

(5) The primary form of restraint for any dog shall not be tethering.

(6) Each dog must have access to its own shelter when housed outside.

(7) There must be a minimum of four hundred fifty (450) square feet of unobstructed housing space available per animal. The department shall have the discretion to increase the minimum square feet required when the requesting permit is for larger dogs.

(8) All dogs and cats must have a photograph of each animal attached to an animal profile sheet that will be kept on record as verification of the animals allowed in the permit. Rescuers with a rescue group license or official fosters of licensed rescue groups shall be exempt from the photograph and profile sheet requirement for those animals that are temporarily being housed at the location for less than four (4) months.

(9) If the owner of the dogs and/or cats is not the owner of the property, the permission of the property owner must be obtained before a permit application will be processed.

(10) A check will be made to determine if there are any previous valid complaints. A previous valid complaint can be grounds for the denial of a permit request.

(11) The requestor must have adequate property or facilities to ensure the dogs and/or cats do not disturb any neighbors. The facilities shall be subject to inspection by the department.

(12) An organization with an approved rescue group license who is temporarily housing pets (less than four (4) months) with the intent to rehome pets elsewhere may exceed the minimum number of pets as long as the organization follows requirements for those with an excess animal permit.

- (b) **A maximum number of eight (8) domestic fowl is allowed at a residence of which only one (1) may be a rooster.**

(1) An owner must comply with the following with regard to domestic fowl:

- a. The owner must have adequate facilities to house the domestic fowl and ensure adequate sanitation. All domestic fowl must be kept in a coop and run that is at least twenty-four (24) square feet in size, or has at least six (6) square feet of space per fowl, whichever is larger.
- b. The domestic fowl must be kept housed or confined in a manner that does not allow them to create a nuisance.
- c. Sanitation must be addressed in a manner that prevents the attraction of pests.

(2) If an owner desires to exceed the maximum number of domestic fowl specified in subsection (b), an owner must make an application for an excess animal permit with the department which shall be valid for one (1) year. The criteria for evaluating the application for an excess animal permit shall be those listed in subsection (b). In addition, all domestic fowl must be kept in a coop and run not less than fifty (50) feet from any business or dwelling occupied by any person other than the owner. The facilities shall be subject to inspection by the department. An owner with between twenty-six (26) and fifty (50) domestic fowl must keep the animals in a coop and run not less than seventy-five (75) feet from any business or dwelling occupied by any person other than the owner. An owner with fifty-one (51) or more domestic fowl must keep the animals in a coop and run not less than one hundred (100) feet away from any business or dwelling occupied by a person other than the owner and have a business license that demonstrates a need to house over fifty (50) domestic fowl. The facilities shall be subject to inspection by the department.

- a. The maximum number of roosters allowed for excess animal permits shall be one (1) rooster for every ten (10) authorized domestic fowl.
- b. Up to eight (8) fowl may be allowed to temporarily roam outside the coop and run at a time, but within an enclosed area within the boundaries of the real property of the owner between the hours of 6:00 a.m. and 10:00 p.m.

**(c) The total number of livestock allowed at a residence is two (2) animals from the following classes of livestock: Equines; bovines; sheep; goats; and llamas.**

(1) All livestock must be enclosed in a pen the nearest point being at least one hundred (100) feet from any dwelling or business building owned or occupied by any person other than the owner. For the purpose of this section, a pen shall mean a fully enclosed space that is adequately sturdy to prevent the livestock from being unrestrained. An owner must comply with the following with regard to livestock:

- a. The owner must have adequate facilities to house the livestock and ensure adequate sanitation.
- b. The livestock must be kept housed or confined in a manner that does not allow them to create a nuisance.
- c. Sanitation must be addressed in a manner that prevents the attraction of pests.
- d. Livestock permits are required for every livestock animal.

(2) If an owner desires to exceed the maximum number and type of livestock specified in this section, an owner must make an application for an excess animal permit with the department which shall be valid for one (1) year. The criteria for evaluating the application for an excess animal permit shall be those listed in subsection (c) and [section 5-52](#) of this chapter.

**(d) The total number of rabbits allowed at a residence is ten (10). An owner must comply with the following with regard to rabbits:**

- (1) The owner must have adequate facilities to house the rabbits and ensure adequate sanitation.
- (2) The rabbits must be kept housed or confined in a manner that does not allow them to create a nuisance.
- (3) Sanitation must be addressed in a manner that prevents the attraction of pests.

(4) If an owner desires to exceed the maximum number of rabbits specified above (ten (10) rabbits), an owner must make an application for an excess animal permit with the department which shall be

valid for one (1) year. The criteria for evaluating the application for an excess animal permit shall be those listed in subsection (d). The facilities shall be subject to inspection by the department. The maximum amount of rabbits allowed with an excess animal permit is twenty-five (25).

**(e) Any owner, caretaker, or other person who keeps any non-poisonous snake over three (3) feet and/or fifteen (15) pounds, in addition to complying with all federal and state laws, regulations, and permit regulations affecting such snake, shall:**

(1) Keep the snake at all times in a cage or enclosure of such size and construction and in a manner as to preclude the possibility of escape. Such enclosure shall be of such size as to permit the snake reasonable freedom of movement;

(2) Keep the snake in such a manner so as not to threaten or annoy any person of normal sensitivity; and

(3) Prevent unauthorized access to the snake through adequate safeguards.

**(f) The following shall apply for all excess animal permits:**

(1) Once a permit is granted, the permittee must obey all rules pertaining to animal ownership within the city and the state. Any valid violation under this chapter, including exceeding the number of animals allowed on the original permit is grounds for revocation of the permit by the department.

(2) If a permit is revoked, the permittee will have thirty (30) days to come into compliance with existing numbers limits.

(3) An owner who is denied a permit or whose permit is revoked has the right to appeal the denial or revocation by submitting written notice to the director within fifteen (15) working days of the denial or revocation. Upon the timely receipt of such written notice, the department shall schedule an animal permit hearing. The owner shall be notified of said hearing by certified mail, return receipt requested. If the hearing is not conducted within fifteen (15) working days of the date the notice of appeal is received, the department shall issue the requested permit or reinstate the revoked permit. Failure of the owner of the animal to appear at the permit hearing shall result in a final denial or revocation with no further appeal. The owner may be represented by counsel.

(4) The animal permit hearing officer shall determine whether, by a preponderance of the evidence, a permit should not be denied or revoked based upon evidence, affidavits, and testimony presented at the time of the hearing by the owner, witnesses to any incident which may be germane to such a determination, department personnel, police or any other person possessing information pertinent to such determination. The owner may cross examine witnesses. A record of the hearing shall be kept. The animal permit hearing officer shall issue written factual findings and a determination as to whether the permit denial or revocation should be reversed within five (5) working days after the animal permit hearing. The owner shall be notified of the animal permit hearing officer's findings and determination by certified mail, return receipt requested.

(5) If the animal permit hearing officer does not reverse the permit denial or revocation, the owner has the right to appeal the determination to municipal court by submitting written notice to the department within five (5) working days of receiving the animal permit hearing officer's determination. Failure to appeal within the time allotted shall result in the animal permit hearing officer's determination as final.

(6) A municipal court judge shall sit as the administrative appeal hearing officer. The administrative appeal hearing officer shall apply a pure substantial evidence review of the animal permit determination. The administrative appeal hearing officer shall consider only the factual record made at the animal permit hearing and decide if the determination of the

animal permit hearing officer is reasonably supported by substantial evidence. In addition, the administrative appeal hearing officer is permitted to consider whether the animal permit hearing satisfied the requirements of due process. The administrative appeal hearing officer shall prepare a written memorandum of findings and declare the animal permit hearing officer's determination either affirmed or reversed.

(7) The result of the administrative appeal hearing is final.

# FOSTERS

Address where Animal(s) will be housed: \_\_\_\_\_

Applicant's Complete Legal Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

	Name	Sex M/F/S/N	Species	Date of possession of Animal	Rabies Vacc. Date	Breed	Rescue Group/ Organization
1							
2							
3							
4							
5							
6							
7							
8							
9							

**RECCOMENDATION**

APPROVED       DENIED

LICENSE NUMBER: \_\_\_\_\_

Comments: \_\_\_\_\_

Officer's Signature: \_\_\_\_\_

**FINAL ACTION**

Approved by: \_\_\_\_\_

Effective Date: \_\_\_\_\_

**The Facilities shall be subject to inspection by the department.**

**Approved with contingency- Minor requirements need to be met by date indicated by Animal Care Officer. Another inspection will be provided (No additional fee applies).**

**Denied- if denied, you are required to come into compliance with the City Ordinance or penalties apply. A new application/fee will need to be submitted to Animal Care Services.**