



ANIMAL SERVICES TRAP AGREEMENT

This TRAP AGREEMENT provides instructions and directives for individuals who:

- Borrow and use live animal traps from the City of Irving Animal Services Division.
- Use their own live animal traps inside the city limits of Irving.

This AGREEMENT is made between the City of Irving and the individual whose name and signature appears below (“Trapper”), who is eighteen (18) years of age or older.

Trapper agrees to comply with the following terms:

1. The Trapper agrees to place traps in a safe area, away from danger, and provide humane care for trapped animals. This includes adequate access to food and water.
2. The Trapper agrees to set traps only in locations protected from the elements including heat, cold, and precipitation (rain, sleet, snow etc). **The Trapper understands that any use of a trap that results in suffering, injury, or death to an animal, including leaving an animal in the trap for an extended period and/or leaving an animal exposed to harsh weather conditions, may subject him/her to prosecution for animal cruelty.**
3. The Trapper agrees to **set traps for cats on Tuesdays ONLY and not bait or set any traps on the evening preceding a City holiday or on the day of a City holiday.**
4. The Trapper agrees to **follow Section 6-14 Animal Traps and Poisons**, of the Irving city ordinances, including **checking traps for trapped animals every two (2) hours during daylight and at least once every eight (8) hours if left overnight.**
5. When a cat has been trapped, the Trapper agrees to:

Bring the trapped cat to the Irving Animal Care Campus during operating hours, as early as possible on the same day the cat is trapped. Use the Animal Intake door on the north side across from the dog park. The cat **must** have access to water and be protected from the elements while being transported.
6. **If a wild animal is caught in a trap**, the Trapper agrees Animal Services will only service the trap one time. If another wild animal is caught, the Trapper must contact a wildlife removal company to remove the animal **at their own expense**. The Trapper will not transport any wild animal. Doing so may result in a Class C misdemeanor.
7. The Trapper agrees to have traps in an easily accessible area for Animal Services Officers to service and pick up.
8. **The Trapper grants Irving Animal Services Officers permission to enter his/her property to remove trapped animals and borrowed traps.**



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- 9. The Trapper agrees to release and hold harmless the City of Irving or its agents for any damages or claims incurred due to the placement or service of the traps on his/her property.
- 10. The Trapper agrees not to lend borrowed traps to any other person or set traps anywhere other than on his/her own property.
- 11. The Trapper accepts responsibility for borrowed traps and will pay to repair/replace them in the event they are damaged, lost or stolen (replacement **cost is \$70**).
- 12. The Trapper understands and agrees that any violation of this agreement may result in immediate removal of borrowed traps and Trapper owned traps no longer being serviced by Irving Animal Services.
- 13. The Trapper agrees to return any borrowed traps to the City of Irving **no later than 14 days** from the date of this agreement.

Printed Name: _____

Date of Birth: _____ Driver's License/ID#: _____

Signature: _____ Date: _____

Address: _____

Phone Number: _____

Trap Number: _____



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Sec. 6-14. Animal traps and poisons.

- (a) A person commits an offense if he/she places, baits, sets or permits a trap to be set on property owned or controlled by him/her that is designed in such a fashion as to reasonably ensure trauma, injury or death of the entrapped animal.
- (b) A person commits an offense if he/she sets a humane trap and does not check the trap for a trapped animal at least once every two (2) hours during daylight or at least once every eight (8) hours if left overnight.
- (c) A person commits an offense if he/she does not provide humane care for any trapped animal including protection from the elements, including heat, cold and precipitation (rain, sleet, snow), and adequate food and water. Trapped dogs or cats bearing identification shall be turned over to the animal's owner or to the department.
- (d) A person commits an offense if he/she places any substance, article or bait that has in any manner been treated with any poisonous or toxic substance, including antifreeze or any drug, in any place accessible to humans, birds, dogs, cats or other animals.
- (e) A person commits an offense if he/she removes, alters, damages or otherwise tampers with a trap or other equipment belonging to, set by, or set at the request of the department.
- (f) A person commits an offense if he/she releases or removes an animal from a trap belonging to, set by, or set at the request of the department.
- (g) A person commits an offense if he/she sets a trap on public property without written permission from the animal services manager or if he/she sets a trap on another's property without written consent from the property owner.
- (h) A person commits an offense if he/she transports any animal subject to a statewide rabies quarantine, pursuant to Texas Administrative Code, Title 25, §169.34, including any live species of coyote, raccoon or fox indigenous to North America.
 - (1) Animals subject to statewide quarantine may be transported by exempt individuals such as peace officers and individuals hired or contracted by local, state, or federal government agencies to deal with animals when such transport is part of their official duty.
 - (2) If an exempt individual transports such animals for release, the animals must be released within a ten-mile radius of where the animals were originally captured.
- (i) This section shall not be interpreted to restrict the extermination of rats, mice, other rodents or insects through the use of traps, poisons or other commercially available means when used on the person's property or with the written consent of the property owner, and in accordance with the manufacturer's written label instructions except that the person is responsible for taking reasonable precautions to ensure that no human or animal, other than the targeted species, comes into contact with the traps, poison or other means and does not violate any other provision of this chapter.
- (j) It is a defense to prosecution under subsection (a) if the use of such traps is deemed necessary by the animal services manager for the purpose of controlling communicable disease or invasive species.

(Ord. No. 2021-10468 , § 2, 7-22-21)