



ANIMAL ADVISORY COMMISSION RECOMMENDATION 20180611-5A

Date: June 19, 2018

Subject: Increasing Live Outcomes at Austin Animal Services

Motioned By: Larry Tucker

Seconded By: Lisa Mitchell

Recommendation

At the regular meeting of the Animal Advisory Commission, June 11, 2018, under Agenda Item 5A, Update, Discussion and Possible Action regarding Increasing Live Outcomes, commissioners recommended approving the document submitted by Commissioner Tucker and to send the document to the full City Council.

Description of Recommendation to Council

SEC. 1 Definitions.

- (a) ANIMAL SHELTER. —The term ‘animal shelter’ means Austin Animal Center.
- (b) LICENSED VETERINARIAN. —The term ‘licensed veterinarian’ means a veterinarian licensed to practice veterinary medicine in this State of Texas.
- (c) RESCUE ORGANIZATION. —The term ‘rescue organization’ means an organization that is:
 - (1) An organization described in section 501(c)(3) of the Internal Revenue Code and exempt from taxation under 501(a) of that Code; and,
 - (2) An animal rescue organization, animal adoption organization, or organization formed for the prevention of cruelty to animals.
- (d) IRREMEDEABLE SUFFERING. —The term ‘irremediable suffering’ means an animal who has a poor or grave prognosis for being able to live without severe, unremitting physical pain even with comprehensive, prompt, and necessary veterinary care, as certified in writing by a licensed veterinarian.

SEC. 2 Right of Rescue.

- (a) Not less than two business days before the euthanasia of any animal, the animal shelter shall:
 - (1) Notify or make a reasonable attempt to notify by verifiable written electronic communication any rescue organization that has previously requested to be notified before animals are euthanized;
 - (2) Unless there is evidence of neglect or animal cruelty as certified in writing by a licensed veterinarian, notify or make a reasonable attempt to notify by verifiable written electronic communication the owner who surrendered the animal and inform that person that the animal is scheduled to be killed;
 - (3) Notify or make a reasonable attempt to notify by verifiable written electronic communication the finder who surrendered the stray animal and inform that person that the animal is scheduled to be killed;
 - (4) Give those notified under Sec. 2, subsections (a)(1), (2), and (3) possession of the animal to avoid the animal’s death if they request it.
- (b) Austin Animal Center may not euthanize any animal without making the notification required by Subsections (a)(1), (2), and (3).

(c) This Subsection does not apply to:

(1) An animal who is irremediably suffering;

(2) A dog who has been judicially declared dangerous under the Texas dangerous dog statute at Sec. 822.001 and whose release to a rescue group would violate a court order.

(d) This provision also applies to animals in utero when a female animal is visibly pregnant.

Rationale:

The month of April 2018 saw, for the first time since Council passed the No-Kill implementation plan and since No-kill was achieved, the live release rate for cats' dip below the 90% threshold. A look at 49 feline euthanasias performed by Austin Animal Center veterinarians through May 14 of 2018 found that in 25 cases Austin Pets Alive! should have been notified and offered a chance to take the cats but were not. Fourteen of these euthanasias were labeled by AAC veterinarians as "Fractious." Twelve were considered by APA to be "egregious killings" and APA was only notified on 2 of these 49 euthanasias. Adoption of this language will place checks and balances on the unilateral killing of shelter animals and ensure that rescue organizations have the opportunity to carry out their rescue mission by taking animals that otherwise would be euthanized. It should be noted that in June the live release rate for cats jumped up to 98.7% due to hard work performed by Austin Animal Center staff, volunteers and rescue groups.

Vote

For: 8: Commissioners Lisa Mitchell, Craig Nazor, Mike Kaviani, Palmer Neuhaus, Katie Jarl, Larry Tucker, Dr. Lauren Cannon, Nancy Nemer

Against: 0

Abstain: 2: Commissioners Isabel Mier and Heather Allard

Absent: 3: Commissioners David Lundstedt, Edward Flores, Angela Means

Attest:



AAC Chair