




MEMORANDUM

TO: Mayor and City Council

THRU: Chris Shorter, Assistant City Manager

FROM: Don Bland, Chief Animal Services Officer, Austin Animal Services Office 

DATE: February 27, 2020

SUBJECT: Animal Advisory Commission Recommendation 20200113-4b

The purpose of this memo is to inform the Mayor and City Council of the Animal Advisory Commission's recent submittal of Recommendation 20200113-4b which seeks to clarify the definition of "unprovoked biting" in Ordinance No. 20191017-025, City Code Section 3-1-1.

On October 17, 2019, the City Council passed Ordinance No 20191017-025 which amended City Code Section 3-1-1 (Definitions).

At the January 13, 2020, regular meeting of the Animal Advisory Commission, commissioners passed a recommendation to revise the definition of "UNPROVOKED BITING" in Section 3-1-1, (20). Animal Service Office (ASO) leadership had requested this change due to an incident that occurred after implementation of the code amendments that passed in October and due to concerns for public safety.

ASO supports this recommendation and would like to see this recommendation move forward as soon as possible to ensure staff and public safety.

If you have any questions or would like additional information, please contact me at phone 512-978-0521 or via e-mail at Don.Bland@austintexas.gov.

Cc: Spencer Cronk, City Manager
Nuria Rivera-Vandermyde, Deputy City Manager



ANIMAL ADVISORY COMMISSION RECOMMENDATION 202001134-b

Date: February 6, 2020

Subject: Council recommendation

Motioned By: Ryan Clinton

Seconded By: Katie Jarl

Recommendation

A recommendation to amend again the recently amended city code 3-1-1 (20)

Description of Recommendation to Council

See attachment

Rationale:

ASO staff request this change due to an incident that occurred after implementation of code amendments passed by Council in October. This change clarifies the definition of "Unprovoked Biting."

Vote

For: 9

Against: 0

Abstain: 0

Absent: 3

Vacant: 1

Attest: David Lundstedt AAC Chair

*Approved Language from ASO
City Code Section 3-1-1 (20)*

UNPROVOKED BITING means biting that is not provoked. Biting is unprovoked if, among other things, it occurs during ordinary care, including feeding, walking, and placing a collar, leash, or harness on a dog, or from merely initiating interaction with a dog, or standing and facing the dog, walking towards a dog or its owner or addressing the dog's owner. Biting is provoked if, among other things, it occurs because the dog was being taunted, or the dog was acting in defense of self, a person, another animal, or property, or the dog was acting from maternal instinct, or the dog was reacting to hunger, pain, or fear, or the dog bites accidentally, as when playing. To be provoked a biting must occur contemporaneously with or immediately following the provocation.