

# Late Backup

#66 GALZA ✓

## RESOLUTION NO.

**WHEREAS**, on August 3, 2015, the Mayor and Council referred an agenda item to the Health and Human Services Committee (Committee) directing the Committee to consider various data and issues, including “City of Austin measures planned and taken to date to control the population of cats and dogs in Austin/Travis County, manage animal shelter intakes and adhere to the ‘No Kill Resolution;’”

**WHEREAS**, the Mayor and Council also directed the Committee to consider “the pros and cons of instituting a spay/neuter ordinance including enforceability and fiscal impacts;”

**WHEREAS**, on January 13, 2016, the Committee heard briefing from the Animal Services Office (ASO) regarding reducing intake at the Austin Animal Shelter, including a potential amendment to the City Code changing the permissive spay/neuter on second impoundment to a permissive spay/neuter on first impoundment;

**WHEREAS**, data from the Austin 311 Department shows there is a disproportionate number of calls from citizens living east of IH 35 requesting that stray animals be picked up, and when admitted, these same animals impact available kennel space at the Center;

**WHEREAS**, the topic of “spay/neuter on first impoundment” has been on

the agenda of prior meetings by the Committee in January, August, and October 2016, as well as the agenda of prior meetings by the Animal Advisory Commission (Commission) in February, March, and September 2016;

**WHEREAS**, ASO conducted a survey of owners of impounded animals from March 17, 2016 through September 6, 2016 and presented it to the Commission on September 12, 2016, after which a motion was made to vote for spay/neuter on first impoundment if appropriate, and the vote was 5-4;

**WHEREAS**, a review of ASO's budget identifies two accounts, the Reclaim S/N Deposit and Adoption S/N Deposit, funded by deposits from owners retrieving an intact animal or adopting an intact animal;

**WHEREAS**, these budget accounts provide a potential funding source to permissively sterilize the number of intact animals on first impoundment admitted to ASO, while maintaining the ability of ASO to forego sterilization as necessary in the best interests of each animal;

**WHEREAS**, in situations when ASO cannot meet the demand to spay/neuter animals, ASO has the ability to issue vouchers for spay/neuter to be performed by Emancipet, other rescue partner organizations, and veterinarians contracted with ASO;

**WHEREAS**, a City Code amendment allowing for the permissive spaying/neutering of animals on first impoundment will establish a multi-tiered approach to reducing animal births in Austin in furtherance of the City's 'No Kill' policy; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF AUSTIN:**

The City Council instructs the City Manager to return to Council on November 10, 2016 with an amendment to Section 3-1-29 (Sterilization) of the City Code as follows: "The city manager or the manager of an animal shelter may sterilize an animal if it has been impounded one or more times, unless:

- (1) the surgery could harm the animal due to the animal's age or health;
- (2) prior to the expiration of the animal shelter's three-day hold period, the animal's owner objects to the animal being sterilized; or
- (3) the animal's surgery would require the animal to be held at the animal shelter overnight and the animal shelter is at or beyond capacity at the time."

**ADOPTED:** \_\_\_\_\_, 2016

**ATTEST:** \_\_\_\_\_

Jannette S. Goodall  
City Clerk