



## **ANIMAL ADVISORY COMMISSION RECOMMENDATION 20170213-4B**

Date: March 2, 2017

Subject: Code Next Recommendation

Motioned By: Larry Tucker

Seconded By: Lisa Mitchell

### **Recommendation**

*The Austin Animal Advisory Commission recommends the City of Austin take steps to eliminate breed and size restrictions for companion animals in City of Austin housing code. We also recommend placing a limit on fees charged by apartment complexes.*

### **Description of Recommendation to Council**

- Restrictions should be eliminated through incentive based as well as regulatory measures.

### **Rationale:**

- Austin is the largest no kill community in the nation and it is no longer acceptable to kill pets for convenience or space.
- Breed/size restrictions are a serious threat to Austin's status as the largest No-Kill city in the United States when the center is at capacity.
- The Austin Animal Center estimates about 20 to 30% of large dog surrenders are due to housing issues.
- Rising housing pet fees are affecting affordable housing opportunities for Austin families and socio-economically challenged residents are disproportionately affected because of so few affordable housing options.
- Pets are family and every year hundreds of families are forced to surrender their pets because pet owners cannot find affordable housing that allows them to keep their pets (especially dogs over 25 lbs.). Additionally, thousands of pets cannot be adopted from the Animal Center due to housing restrictions for people with pets.
- The City of Austin bears the cost of having to house pets that are homeless because of these housing restrictions. Each pet costs the City of Austin approximately \$50 per day to house.
- Public housing landlords benefit from city funding via tax incentives or actual subsidies.
- When pets are surrendered due to restrictions against people with pets, the city is paying twice, in effect, for the displaced pet.
- There is no local case law to support that landlords are vulnerable to dog bite injury lawsuits (an often-used reason for restrictions against people with pets).
- There are already laws in place to determine if a dog poses a public threat and landlords do not have to rent to people with pets legally deemed dangerous. Landlords can create leases that give them the right to not rent to anyone whose pet creates a nuisance or they can ban that pet/owner from their rental property.

**Vote**

For: 10

Against: 0

Abstain:

Absent: 1

Attest: *[Staff or board member can sign]*

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