

Ordinance No. 20191017-025

Section 3-1-1 (20):

(20) UNPROVOKED BITING means biting that is not provoked. Biting is unprovoked if, among other things, it occurs during ordinary care, including feeding 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.

Section 3-1-26 - Add language to (A); (2) has new language; original (2) and (3) become (3) and (4):

3-1-26 NOTICE TO RESCUE ORGANIZATION

- (A) Not less than two business days before the euthanasia of any animal that does not qualify for exemption under Section C, the City animal shelter must:

- (C) This section does not apply to:
 - (1) An animal who is irremediably suffering;
 - (2) An animal who, after a high risk assessment, has been recommended for euthanasia for humane reasons or to protect the public from imminent danger to persons or property. Such animal may be euthanized without regard to any time limitations otherwise established in this title and without court order;
 - (3) A dog whose release to a rescue organization would violate a court order; or
 - (4) A dog with a documented history of unprovoked biting that has resulted in severe injury to a person.