



ANIMAL ADVISORY COMMISSION RECOMMENDATION 20210208-3-B

Date: February 10, 2021

Subject: Recommendation

Motioned By: Jo Anne Norton

Seconded By: Craig Nazor

Recommendation

The Animal Advisory Commission, with support of Animal Services Office (ASO) leadership, recommends revised language to correct an apparently unintended substantive change to Section 3-4-7, "Vicious Dog", that gave only one option for a dog deemed vicious, I.e., that the dog can no longer reside within City limits, and to remove language pertaining to bites to people that ASO prosecutes under the "Dangerous Dog Statute". (See attachment)

Description of Recommendation to Council

This recommendation gives the family of a dog deemed vicious the option to keep their dog, as it was in Austin from 1908 until the codification error in 2002. Owners of dogs deemed vicious will also have the option to appeal the decision to Municipal Court, the same as dogs deemed "dangerous" under the Dangerous Dog Statute. Language discrepancies within Section 3-4-7 have been rectified.

Rationale:

Correcting the error allows families to keep their pets while improving public safety by having restrictions in place to mitigate a similar situation. Adding an appeal process complies with due process requirements and case law.

Vote

For: 9

Against: 0

Abstain: 0

Absent: 2 with one vacancy

Attest:

AAC Chair