

# **Definitions:**

## **Shelter and Enclosures**

### *Adequate Shelter*

- Suitable for the species, age, condition, size, and type of each animal;
- Provides adequate space for each animal;
- Is safe and protects each animal from injury, rain, sleet, snow, hail, direct sunlight, the adverse effects of heat or cold, physical suffering, and impairment of health;
- Is properly lighted;
- Is properly cleaned;
- Enables each animal to be clean and dry, except when detrimental to the species;
- During hot weather, is properly shaded and does not readily conduct heat;
- During cold weather, has a windbreak at its entrance and provides a quantity of bedding material consisting of straw, cedar shavings, or the equivalent that is sufficient to protect the animal from cold and promote the retention of body heat;
- For dogs and cats, provides a solid surface, resting platform, pad, floor mat, or similar device that is large enough for the animal to lie on in a normal manner and can be maintained in a sanitary manner.

### **Under this chapter, shelters whose wire, grid, or slat floors**

- (i) permit the animals' feet to pass through the openings,
- (ii) sag under the animals' weight,
- (iii) otherwise do not protect the animals' feet or toes from injury are not adequate shelter.

### *Adequate space*

- Easily stand, sit, lie, turn about, and make all other normal body movements in a comfortable, normal position for the animal;
- Interact safely with other animals in the enclosure.

### *Adoption*

- The transfer of ownership of a cat or dog, or other animal permitted under this code, from a releasing agency to an individual

### *Altered*

- An animal that has been neutered or spayed by a veterinarian licensed to practice veterinary medicine

### *Animal Control Investigator*

- Any person employed or appointed by the City who is authorized to investigate and enforce violations under the provisions of this Chapter, investigate complaints in compliance with legal enforcement procedures and conduct seizure of property and animals pursuant to dangerous animals provisions

### *Animal Control Officer*

- Any person employed or appointed by the City who is authorized to investigate and enforce violations under the provisions of this Chapter

*Enclosure*

- For an animal that has not been determined to be potentially dangerous or dangerous under this Chapter, a pen or structure used to confine an animal out of doors that is kept in a sanitary condition, provides adequate space, is properly lighted and provides adequate
- For an animal determined to be potentially dangerous or dangerous: required to have appropriate signage, be a minimum of six feet in height and constructed so that the sides shall be embedded into the ground by a depth of at least two feet or be constructed on and secured to a concrete pad, that has a complete, secure top to prevent escape and is locked to prevent accidental access or escape.

*Foster Care Provider*

- A person or entity that provides care or rehabilitation for companion animals through an affiliation with a public or private animal shelter, home-based rescue, releasing agency, or other animal welfare organization and accepts the responsibility and stewardship of animals, not to exceed the number of animals permitted.

*Foster Home*

- A private residential dwelling and its surrounding grounds, or any facility other than a public or private animal shelter, at which site through an affiliation with a public or private animal shelter, home-based rescue, releasing agency, or other animal welfare organization care or rehabilitation is provided for companion animals.

*Muzzle*

- A device constructed of strong, soft material or of metal, designed to fasten over the mouth of an animal that prevents the animal from biting any person or other animal and that does not cause injury to the animal or impair its vision or respiration

*Provocation*

- Any action or activity, whether intentional or unintentional, which would be reasonably expected to cause a normal animal in similar circumstances to react in a manner similar to that exhibited by the animal.

*Serious physical injury*

- Disfigurement, protracted impairment of health, or impairment of function of any bodily organ.

## **Classifications**

*Companion Animal*

- An animal that is commonly considered to be, or is considered by its owner to be, a pet, or that is a service animal. Companion animal includes, but is not limited to dogs and cats. A companion animal shall not include a farm animal, urban farm animal, or wild animal.

### *Nuisance Animal*

- Animal running at large, on public property or any private property that is not the property of its owner or keeper, whose behavior constitutes a nuisance, which includes:
  - Making physical contact with a person or other animal in a harassing manner;
  - Unreasonably disturbs or annoys the quiet, comfort, and repose of persons in the vicinity by loud, frequent, habitual, or repeated barking, howling, or yelping;
  - Defecating or digging upon any building, lawn, plant, shrub, tree, or any other public property or private property, that is not the property of the owner, without being removed by the owner; or
  - Damaging inanimate personal property.

### *Potentially Dangerous Animal*

- Without provocation, chases or menaces a person or domesticated animal in an aggressive manner, causing injury to a person or domesticated animal;
- In a menacing manner, approaches without provocation any person or domesticated animal as if to attack; or
- Has demonstrated a propensity to attack without provocation or otherwise to endanger the safety of human beings or domesticated animals.

### *Dangerous Animal*

- Has attacked, bitten, or otherwise caused injury to a person without provocation; or
- Has attacked, bitten, or otherwise caused injury to another domesticated animal without provocation; or
- Has chased or approached any person on one or more occasion and without provocation on any public property, or on any private property that is not the property of the animal's owner, in an apparent attempt to attack or injure the person

### *Vicious Animal*

- An animal that without provocation (*any action or activity, whether intentional or unintentional, which would be reasonably expected to cause a normal animal in similar circumstances to react in a manner similar to that shown by the evidence*) or justification bites or attacks person and causes serious physical injury (*means disfigurement, protracted impairment of health, or impairment of the function of any bodily organ*) or death or that is declared vicious.

## **ENFORCEMENT**

- The Animal Care and Control Division is authorized to impound any animal which is stray, loose, running at large, makes physical contact with a person or other animal in a harassing or menacing manner, or has bitten or otherwise injured any person or other animal and needs to be confirmed confined for observation. The Animal Care and Control Division is authorized to capture any animal which is observed to be stray, loose, or at large and return it to its owner, if known, with the issuance of appropriate citation(s).

- The Department shall provide a written update to City Council every 30 days a vacancy in the position of Administrator or the Animal Care and Control Division exists. This update shall include the efforts undertaken to locate and hire a qualified Administrator.
- Animals shall be properly licensed and registered on the effective date of this ordinance. New licenses shall not be issued for animals over the limit of two upon death or rehoming of animals formerly licensed at that residence.
- Licenses renewed more than 30 days after expiration or obtained more than 30 days after newly acquiring a dog shall incur a penalty of double the applicable license fee.
- Breeder's permit:
  - No person shall breed or own an unaltered female dog that produces a litter of puppies without obtaining a breeders permit from the Animal Care and Control Division.
  - The Animal Care and Control Division shall issue a breeders permit upon receipt of a completed application form, verification of current licensing and vaccination records, and payment of the applicable fee.
  - The breeders permit shall be valid for one year from the date of issuance and allow for a maximum of two litters per female dog.
  - The Animal Care and Control Division may revoke a breeders permit for failure to comply with the requirements.

## Public Nuisance

Any animal may be declared to be a public nuisance, and be subject to capture and abatement by the Animal Care and Control Division or by the Police Department or by any other authorized governmental agency, where the animal:

- Is unclaimed by its owner after being picked up by, or delivered to the care and control of, the Animal Care and Control Division, or is a stray animal;
- Makes contact with a person or other animal in a harassing manner;
- Unreasonably disturbs or annoys the quiet, comfort, and repose of persons in the vicinity by loud, frequent, habitual, or repeated barking, howling or yelping; or
- Defecates or digs upon any building, lawn, plant, shrub, tree, or any other public property, or any private property, that is not the property of the animal's owner, without being removed by the owner.

Any resident of the City may submit to the Department a complaint of nuisance behavior which shall include:

- Allegations of nuisance behavior for a minimum of two interactions for any complaint for an animal that unreasonably disturbs or annoys the quiet, comfort, and repose of persons in the vicinity by loud, frequent, habitual, or repeated barking, howling or yelping; or
- Allegations of nuisance behavior for a minimum of a two week time frame for any complaint for an animal that defecates or digs upon any building, lawn, plant, shrub, tree, or any other public property, or any private property, other than the that is not the property of the animal's owner, without being removed by the owner.

Upon receipt of a verifiable nuisance complaint or upon personal observation by an animal control officer of nuisance behavior, the Animal Care and Control Division shall evaluate the complaint, investigate, and, where factual circumstances warrant, conduct a nuisance animal hearing.

- Notification for the nuisance animal hearing shall be made to the animal owner and the petitioner via US mail within 14 days of submission of the nuisance complaint.
  - The Administrator, or the Administrator's designee, shall hear testimony regarding the alleged nuisance behavior and shall have the authority to issue a nuisance animal determination.
  - Within 14 days of the date of the nuisance animal hearing, the Animal Care and Control Division shall provide the owner of the animal a written notification of the Administrator, or Administrator's designee, determination by first class mail.
  - Within ten days from the date of the receipt of the mailing, the owner of the animal may file a written request for a hearing to review the determination at the 36<sup>th</sup> District Court.
    - Where the owner fails to request a hearing within the ten-day period after receipt of the notice, the determination made by the Administrator, or the Administrator's designee, shall become final and the animal shall be issued a nuisance animal determination under this article.
- Owners of any animal declared to be a public nuisance shall immediately take any available and reasonable measures to abate the nuisance upon the oral or written notification to the owner of the animal by any person authorized to enforce the provisions of this chapter., as required by the determination letter issued pursuant to the investigation, which may include:
  - Installation and maintenance of any enclosure, pen, or structure used to confine the animal out of doors shall be a minimum of six feet in height, and constructed so that the sides shall be embedded into the ground by a depth of at least two feet or be constructed on and secured to a concrete pad, and kept in a sanitary condition;
  - Installation and maintenance of an opaque fence, as permitted by law, to limit views to neighboring yards or the street;
  - The owner of the animal that has been issued a nuisance animal determination must post a standard sign obtained from the Division of Animal Care and Control to serve as a warning notice on any premises where the animal is harbored, kept, or sheltered in a place conspicuously visible to the public stating in bold, black letters at least six inches in height **"WARNING! NUISANCE ANIMAL: KEEP AWAY."** The fee for the sign shall be the cost of production to the City and be listed on the fee schedule;
  - Mandatory attendance at an Animal Awareness Program provided by the Animal Care and Control Division or the Michigan Humane Society within 30 days of issuance of the nuisance determination. The Animal Awareness Program shall include information on local ordinances, state law, animal care standards and any other materials deemed appropriate. Any program fees collected by the respective organization shall be retained and used for education and training for Animal Care and Control staff, law enforcement or animal welfare personnel; and

- The owner must purchase an approved form of external identification from the Animal Care and Control Division, indicating to other residents that the animal is determined to be a nuisance animal under this chapter.

## Potentially Dangerous, Dangerous or Vicious Animals

Dangerous animal investigation; determination by the Administrator or the Administrator's designee; Emma's Clause requiring mandatory contact with Animal Care and Control Division; appeal of dangerous animal determination; treatment of animals issued dangerous animal determination; treatment of animals seized or surrendered prior to dangerous animal determination.

*"Emma's Clause"* in honor and memory of Emma Valentina Hernandez, a nine year old girl that was mauled to death on August 19, 2019, when multiple dogs escaped a neighbor's yard.

- Upon the receipt of a verifiable complaint from an individual or other report of an attack, a bite, a dog fight, an injury, an observation of threatening behavior, or other reason to cause a reasonable person to believe that a dog or other animal may be dangerous, the Animal Care and Control Division shall evaluate the complaint or report and, where the factual circumstances warrant, may conduct a potentially dangerous animal, dangerous animal or vicious animal investigation which shall include:
  - Mandatory visit to the residential address to make contact with owner of the property or the owner of the animal;
  - During the visit to the residential address, the animal control officer or investigator shall observe, note and photograph the enclosure or fencing to contain an animal at a residential location to assist in the determination of its sufficiency;
  - If personal contact cannot be made with the owner of the property or the owner of the animal, a notice shall be posted at the residence requesting Animal Care and Control Division be contacted within 48 hours of the date of the posting;
  - After the expiration of the 48 hour period and without contact from any person at that residential address, the Animal Care and Control Division may attempt a second visit or, with the assistance of the Law Department, initiate show cause proceedings at 36th District Court, or both.
- The Animal Care and Control Division investigator who is assigned to the potentially dangerous animal, dangerous animal or vicious animal investigation shall make a written recommendation concerning the incident and the animal and whether the Administrator, or the Administrator's designee, should issue a potentially dangerous animal, dangerous animal or vicious animal determination, including the factual basis for the recommendation. For purposes of making a recommendation, the investigating officer may review and rely upon written police report concerning an animal attack, bite, threatening behavior, or other observation that an animal may be dangerous.
  - Any animal that is the subject of a dangerous animal investigation shall not be moved or harbored at another location, excepting transport to a licensed veterinary facility for purposes of a rabies quarantine, or have its ownership

transferred, pending the outcome of the investigation or any hearings related to the determination of whether the animal is a dangerous animal under this section.

- The Administrator or the Administrator's designee, shall review the recommendation contained in the dangerous animal investigation, and, after such review, shall have the authority to issue a potentially dangerous animal or dangerous animal determination concerning the subject dog or animal.

## Potentially Dangerous/Dangerous Animal Determination

- Upon a potentially dangerous animal or dangerous animal determination, the Animal Care and Control Division shall provide the owner of the animal a written notification of the determination by first class mail.
- Within ten days from the date of the receipt of the mailing, the owner of the animal may file a written request for a hearing to review the determination at the 36th District Court. Pending any hearing or resolution on the potentially dangerous animal determination, the animal shall be confined in the following way:
  - The animal must be confined securely indoors or securely outdoors within a locked enclosure, pen, or structure that prevents the entry of any person and the escape of the confined animal. Any enclosure, pen, or structure used to confine an animal that has been issued dangerous animal determination shall be a minimum of six feet in height. Where the enclosure, pen, or structure used to confine the animal does not have a bottom secured to the sides, the sides shall be embedded into the ground at a depth of at least two feet or be constructed on and secured to a concrete pad, and have a complete, secure top to prevent escape and is locked to prevent accidental access or escape. Any enclosure, pen, or structure, including any fencing, used for the purpose of compliance with this section is required to be humane, be maintained in a sanitary condition and provide protection from the weather for the animal. Every owner of an animal that has been issued a potentially dangerous animal or dangerous animal determination shall allow inspection of the required enclosure, pen, or structure by the Animal Care and Control Division City to ensure compliance with this section
- Where the owner fails to request a hearing within the ten-day period after receipt of the notice, the determination made by the Administrator, or the Administrator's designee, shall become final and the animal shall be issued a potentially dangerous animal or dangerous animal determination.
- Where the Administrator, or the Administrator's designee, makes a vicious animal determination under Subsection (c) of this section and the animal has caused severe injury or death to any person or domesticated animal, the Administrator, or the Administrator's designee, may seek an order from the 36th District Court to euthanize the animal. Where the Administrator, or the Administrator's designee makes a second dangerous animal determination under Subsection (c) of this section for a subsequent incident, the Administrator, or the Administrator's designee, may seek an order from the 36th District Court to euthanize the animal. The Administrator, or the Administrator's designee, shall take into consideration the severity and the total circumstances of injury to any person or to any domesticated animal prior to seeking



review and shall abide by the procedures and judgment of the 36th District Court if an order to euthanize the animal is sought

Whenever an animal is seized or brought to the Animal Care and Control Division for having attacked or bitten a person or another domesticated animal, the Animal Care and Control Division shall hold and care for the animal during the pendency of a dangerous animal or vicious animal determination. The Animal shall not be released unless:

- The owner enters into an agreement with the Administrator, or the Administrator's designee, pursuant to Section 6-3-2 of this Code; or
- An order from the 36<sup>th</sup> District Court compels release of the animal to the owner.

Unless an animal is forfeited to the ownership of the Animal Care and Control Division, no animal held by the Animal Care and Control Division for a dangerous animal or vicious animal determination shall be euthanized prior to receipt of an order from the 36<sup>th</sup> District Court.

In all cases where an animal has been issued a potentially dangerous animal or dangerous animal determination and the animal is not euthanized, the Administrator, or the Administrator's designee, shall make the determination of whether the animal may be returned to its owner. As part of the terms of return, the Administrator, or the Administrator's designee, shall order the owner to comply with each of the following requirements:

- The owner shall maintain proper licensing and up-to-date vaccinations for the animal;
- Where the animal was capable of reproduction prior to the potentially dangerous animal determination, the animal must be sterilized altered;
- When the animal is on the owner's property, the animal must be confined securely indoors or securely outdoors within a locked enclosure, pen, or structure that prevents the entry of any person and the escape of the confined animal. Any enclosure, pen, or structure used to confine an animal that has been issued a potentially dangerous animal or dangerous animal determination shall be a minimum of six feet in height. Where the enclosure, pen, or structure used to confine the animal does not have a bottom secured to the sides, the sides shall be embedded into the ground at a depth of at least two feet or be constructed on and secured to a concrete pad, and have a complete, secure top to prevent escape and is locked to prevent accidental access or escape. Any enclosure, pen, or structure, including any fencing, used for the purpose of compliance with this section is required to be humane, be maintained in a sanitary condition and provide protection from the weather for the animal. Every owner of an animal that has been issued a potentially dangerous animal or dangerous animal determination shall allow inspection of the required enclosure, pen, or structure by the City to ensure compliance;
- While off the owner's property, an animal that has been issued a potentially dangerous animal or dangerous animal determination must be securely muzzled to prevent the possibility of biting and under restraint by a substantial chain or leash not exceeding six feet in length by a person 18 years of age or older who is responsible for the animal at all times when the animal is off the owner's property. The muzzle must be made and attached in a manner that does not cause injury to the animal or impair its vision or respiration, but must prevent the animal from biting any person or animal; and



- The owner must permit the City to perform an annual inspection of the animal and all enclosures, pens, or structures used to house the animal at a time suitable to the Department and to the owner; and
- The owner of the animal that has been issued a dangerous animal determination must post a standard sign obtained from the Division of Animal Care and Control to serve as a warning notice on any premises where the animal is harbored, kept, or sheltered in a place conspicuously visible to the public stating in bold, black letters at least six inches in height **"WARNING! DANGEROUS ANIMAL: KEEP AWAY."** The fee for the sign shall be the cost of production to the City and be listed on the fee schedule.
- The owner of the animal that has been issued a potentially dangerous animal determination must post a standard sign obtained from the Division of Animal Care and Control to serve as a warning notice on any premises where the animal is harbored, kept, or sheltered in a place conspicuously visible to the public stating in bold, black letters at least six inches in height **"WARNING! POTENTIALLY DANGEROUS ANIMAL: KEEP AWAY."** The fee for the sign shall be the cost of production to the City and be listed on the fee schedule.

In addition, the Administrator, or the Administrator's designee, may order the owner of an animal that has been issued a potentially dangerous animal or dangerous animal determination under Section 6-3-1 of this Code to comply with any one or more of the following requirements:

- The owner must confine the animal to the secure enclosure described as mentioned above at all times and only allow the animal out the when being walked on a strong chain and muzzled or when necessary to obtain veterinary care or to comply with a court order;
- The owner and the animal must complete a course of animal obedience training approved by the Animal Care and Control Division;
- The owner must purchase an approved form of external identification from the Animal Care and Control Division, indicating to other residents that the animal is potentially dangerous or dangerous;
- The owner must obtain and provide proof of current liability insurance in an amount determined by the Administrator, or the Administrator's designee, to be sufficient to compensate and protect the public from any damage or harm caused by the animal; or
- The owner must attend an Animal Awareness Program provided by the Animal Care and Control Division or the Michigan Humane Society. The Animal Awareness Program shall include information on local ordinances, state law, animal care standards and any other materials deemed appropriate. Any program fees collected by the respective organization shall be retained and used for education and training for Animal Care and Control staff, law enforcement or animal welfare personnel.
- Compliance with the requirements shall occur within 30 days of the determination being issued. The 30-day timeframe may be extended by the Administrator, in writing, for good cause. Bond shall be posted for the cost of 30 day boarding or extended timeframe at Animal Care and Control. Failure to comply with the requirements for return on the animal within the established timeframe shall result in the forfeiture of the animal to the ownership of the Division of Animal Care and Control.

Where the Administrator, or the Administrator's designee, makes a second dangerous animal determination for a subsequent incident, the Administrator, or the Administrator's designee, may seek an order from the 36th District Court to euthanize the animal.

- The Administrator, or the Administrator's designee, shall take into consideration the severity and the total circumstances of injury to any person or to any animal prior to seeking review and shall abide by the procedures and judgment of the 36th District Court if an order to euthanize the animal is sought.

## **VIOLATIONS**

- No person who owns an animal that has been issued a potentially dangerous animal, dangerous animal, or vicious animal determination shall fail to comply with any of the requirements of this Code, or any order of the Administrator, or the Administrator's designee
- Where an animal has been issued a potentially dangerous or dangerous animal determination and thereafter attacks or injures a person or domesticated animal, or where the owner fails to comply with any order issued, the animal may be seized and impounded, at the owner's expense, by the Animal Care and Control Division.
- The Administrator, or the Administrator's designee, is authorized to order the owner of the animal to comply with any of the alternatives contained within this Code or seek an order from the 36<sup>th</sup> District Court to euthanize the animal.
  - Euthanasia of an animal shall only be conducted by a licensed veterinarian or the Animal Care and Control Division.

### **Reckless Dog Owner**

A person is a reckless dog owner who:

- Receives 3 or more determinations for violation of the nuisance animal provisions in a consecutive 24-month period that are upheld by the district court if appealed; or
- Receives 1 determination 2 for a dangerous animal in a consecutive 24-month period which is upheld by the district court if appealed; or
- Receives 2 or more determinations for a potentially dangerous animal in a consecutive 24-month period that are upheld by the district court if appealed; or
- Excluding violations set forth in number (2) and (3), receives 4 or more citations for violation of this chapter in a consecutive 5-year period. These may include licensing or animal limit violations or failure to update location of an animal that has been determined to be potentially dangerous or dangerous.

The Administrator, or the Administrator's designee, shall issue a notification of the declaration of reckless dog owner to the person with the following:

- Name and address of the person subject to the declaration;

- The description, violation, and determinations that led to the declaration;
- The name, description, and license number of all animals subject to the effects of the declaration; and
- Instructions on appealing the declaration to the 36th district court.
- Once declared a reckless dog owner, the city licenses of all dogs owned by the person shall be revoked, and the person shall not own, keep, possess, or harbor a dog for a period of 5 calendar years from the date of the declaration.

A person declared to be a reckless dog owner may apply to the Administrator to have the declaration waived after 2 years upon meeting the following conditions:

- The person has no subsequent violations;
- The person has no subsequent violations of the Michigan Dog Law of 1919, or licensing, administrative or fee violations.
- The person has completed the Animal Awareness designed to improve the person's understanding of dog ownership responsibilities and based upon an interview with the Administrator establishes that understanding.
- If the Administrator finds sufficient evidence that the person has complied with all conditions in the Section, the Administrator may rescind the reckless owner declaration subject to conditions if necessary to ensure future compliance with this chapter. If the Administrator declines to remove the declaration, the person may appeal pursuant to Chapter 3, Administrative Hearings and Enforcement, and Administrative Appeals, Article IV, Administrative Appeals, of this Code.

## Licensing and Control of Dogs

Dog license requirements; rabies vaccination requirements; limitation on number of licenses issued to a residence; disposition of licensed dogs; impoundment of unlicensed dogs.

Licenses renewed more than 30 days after expiration or obtained more than 30 days after newly acquiring a dog shall incur a penalty of double the applicable license fee.

- No person shall own, harbor, keep, or shelter a dog more than four months of age within the City without purchasing a license for the dog, in accordance with the requirements of this chapter, from the Animal Care and Control Division, from a city agency or department authorized to accept payment for a City dog license, or from a non-profit organization authorized to accept payment for a City dog license.
  - A person must be 18 years of age or older to obtain a city dog license.
- An animal owner, harborer, keeper or person who has custody of an animal shall update the information provided on a license application in the event any of the information changes, including but not limited to the street address where an animal is located. The updated information shall be filed with the Animal Care and Control Division, or with any authorized City agency or department, or with a non-profit organization authorized by the City to issue a dog license.
- The Animal Care and Control Division may transfer a license from an animal in the care of a rescue organization to a person upon proof of adoption of the animal.

## Registration and Permits

It is unlawful to engage in the activity of a rescue organization within the City, which shall include the placement of any animal in a foster home within the City of Detroit, without first registering the rescue organization with the Department.

- Registration required shall be made on a form that is provided by the Department. The registration will be considered complete when the appropriate person has signed and dated the registration in the presence of a notary public, has paid the required registration fee, and has provided the information that is required on the form, including;
- Name and type of organization
- Capacity of the type and number of animals
- Proof of current liability insurance in an amount determined by the Administrator, or the Administrator's designee, to be sufficient to compensate and protect the public from any damage or harm caused by the animal,
- Name and address of all foster homes associated with the rescue organization
  - Registration shall be filed annually,
  - Any information provided shall be supplemented in writing and sent by certified mail, return receipt requested, to the Department within ten (10) business days of circumstances that would render false or incomplete the information that was previously submitted.

### Foster Home Permits

- The Department shall issue to each registered rescue organization a specified number of foster home permits which the rescue organization shall use to identify foster homes permitted by the rescue organization to have an animal placed as a foster animal with the City.
- Each registered foster home permit shall be limited to four total temporary foster dogs.
- Each foster dog shall be licensed to the animal rescue organization. Licenses maybe transferred by the Animal Care and Control Division upon adoption by an individual residing in the City.
- It is unlawful to operate a foster home related to a rescue organization without first obtaining a permit from the rescue organization for which that person will operate the foster home.
- It is unlawful to operate a foster home without an affiliation with a registered rescue organization.

# Reporting, Community Outreach and Oversight:

- The Department shall provide a written update to City Council every 30 days a vacancy in the position of Director of the Animal Care and Control Division exists. This update shall include the efforts undertaken to locate and hire a qualified Director.
- The Public Health Director is authorized to establish necessary fees with the approval of the City Council, through adoption of a resolution, for the cost of services which are determined to be necessary for the public health and welfare including, but not limited to, the licensing and registration of altered and unaltered dogs, penalty for late renewal of license, impoundment, boarding and kenneling, quarantine, nuisance dog tag and signage, potentially dangerous dog tag and signage, dangerous dog tag and signage, adoption, vaccinations, microchip, field pickup, transport, transfer of license from an animal rescue organization to an adoptive owner, and Animal Awareness Program fees.
- Beginning on January 1st of the calendar year, The Administrator shall submit an annual quarterly report to the City Council, which, for the period covered by the report shall include:
  - The number of incidents of dangerous behavior reported to the Animal Care and Control Division;
  - The number of animals that have been issued a nuisance animal, potentially dangerous animal, dangerous animal or vicious animal determination and the location of all animals that have been issued a dangerous animal determination and are residing with their owners. This information shall be posted on the City's website.
  - A description of outreach and marketing efforts to residents, rescue organizations, foster care providers, community groups, and other stakeholders regarding the requirements of animal care and control reporting, enforcement and violations.
    - At minimum, these efforts shall include at least one outreach event in each City Council district between February 1st and April 1st of each year. The Department may partner with third-party entities for outreach and marketing efforts. The Administrator or the Administrator's designee shall present the contents of each quarterly report in the appropriate City Council standing committee.