

OFFICE OF COUNCIL SERVICES
TRANSMITTAL FORM

Transmittal Date/Time: October 30, 2012 11:25

TO: COUNCILMEMBER TOM BERG

ATTN:

FROM: 

LORI HIRAOKA


RE: BILL 57 (2012), FD1 RELATING TO ANIMAL CONTROL LAWS

Product(s) Transmitted: Bill: Resolution: Memo/Letter/Report: Other:

(Check all applicable boxes)

Final Product File Name(s): Bill 12-57 FD1 Animal Control. LH

Transmitted by Secretary: YL

Approved for Transmittal: 

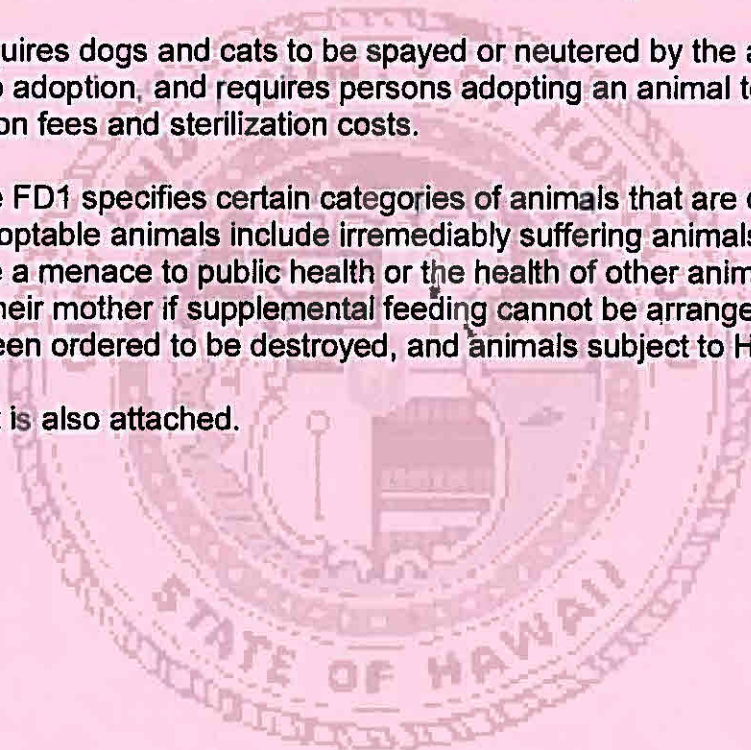
Remarks:

Per your request, an FD1 to Bill 57 (relating to animal control laws) is attached. Registry requirements have been replaced with notification requirements.

The FD1 also requires dogs and cats to be spayed or neutered by the animal control contractor prior to adoption, and requires persons adopting an animal to pay all applicable adoption fees and sterilization costs.

As discussed, the FD1 specifies certain categories of animals that are deemed not adoptable. Unadoptable animals include irremediably suffering animals, diseased animals that pose a menace to public health or the health of other animals, unweaned animals without their mother if supplemental feeding cannot be arranged, dangerous dogs that have been ordered to be destroyed, and animals subject to HRS 143-13.

A summary sheet is also attached.



SUMMARY OF PROPOSED FLOOR DRAFT:

Bill 57 (2012) RELATING TO ANIMAL CONTROL LAWS

PROPOSED FD1 amends Bill 57 (2012) as follows:

- A. Removes provisions requiring the animal control contractor to create a registry of organizations willing to accept animals for adoption purposes, to notify organizations on the registry and the general public prior to destroying animals, and to comply with other related requirements.
- B. Requires the animal control contractor to post a notification on its website to inform the public of animals scheduled to be destroyed, at least 24 hours prior to the scheduled destruction time.
- C. Provides that the City may, by contract, require the animal control contractor to post additional information on its website.
- D. Provides that certain specified animals are not available for adoption, and these animals shall be humanely destroyed at the scheduled time by the animal control contractor or an agent thereof.
- E. Requires dogs and cats to be spayed or neutered by the animal control contractor prior to adoption, and requires persons adopting an animal to pay all applicable adoption fees and sterilization costs.
- F. Defines "agent" to mean any officer, employee or other person used by the animal control contractor to carry out its functions regardless of whether the person receives compensation.
- G. Defines "animal" to mean dogs, cats, rabbits, domestic birds and other beasts that are offered for adoption by the animal control contractor.



A BILL FOR AN ORDINANCE

RELATING TO ANIMAL CONTROL LAWS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to amend portions of the animal control law.

SECTION 2. Chapter 3, Article 5, Revised Ordinances of Honolulu 1990, is amended by adding a new section to be appropriately designated by the revisor of ordinances and to read as follows:

"Sec. 3-5. Humane destruction of animals—Public notification requirements.

(a) The animal control contractor shall maintain an internet website on which it shall notify the public at large of any animal within its custody that is scheduled to be humanely destroyed. The notification shall be posted on the animal control contractor website at least 24 hours before the animal is scheduled to be destroyed and include the following information at the very minimum: "This animal is to be humanely destroyed on [date] at [time]." The City may, by contract, require additional information to be posted on the website.

(b) The following animals shall not be available for adoption and shall be humanely destroyed at the scheduled time by the animal control contractor or an agent thereof:

- (1) Irremediably suffering animals;
- (2) Diseased animals that pose a menace to public health or the health of other animals;
- (3) Unweaned animals without their mother, if supplemental feeding of the unweaned animals cannot be arranged;
- (4) Dangerous dogs that have been ordered to be humanely destroyed pursuant to Chapter 7, Article 7; and
- (5) Any animal subject to section 143-13, Hawaii Revised Statutes.



A BILL FOR AN ORDINANCE

- (c) Dogs and cats shall be spayed or neutered by the animal control contractor prior to their adoption, and any person adopting an animal shall pay all applicable adoption fees and sterilization costs as required by the animal control contractor."

SECTION 3. Section 3-5.1, Revised Ordinances of Honolulu 1990, is amended by adding new definitions of "Agent" and "Animal" to be inserted by the revisor of ordinances in their proper alphabetical order to read as follows:

"Agent" means any officer, employee, or other person used by the animal control contractor to carry out its functions whether compensated or not.

"Animal" means a dog, cat, rabbit, domestic bird, or other beast that is a customary and usual pet offered for adoption by the animal control contractor."

SECTION 4. New material is underscored. When revising, compiling or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the revisor of ordinances need not include the underscoring.



A BILL FOR AN ORDINANCE

SECTION 5. This ordinance shall take effect on July 1, 2013.

INTRODUCED BY:

Tom Berg

DATE OF INTRODUCTION:

August 15, 2012
Honolulu, Hawaii

_____ Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20_____.

, Mayor
City and County of Honolulu