



BOARD OF SUPERVISORS AGENDA ITEM SUMMARY

Requested Board Meeting Date: August 5, 2014

ITEM SUMMARY, JUSTIFICATION &/or SPECIAL CONSIDERATIONS:

A recent review of PACC procedures by the Pima County Attorney's Office (PCAO) resulted in the Office advising the Pima Animal Care Center (PACC) to submit, as soon as possible, a change to the Pima County Code in relation to releasing unaltered pets to certain approved rescue partners. PACC's partnership with these trusted groups has resulted in several thousand saved lives each year and is critical to rehabilitating, altering and re-homing many pets.

6.04.180, adopted in 1998 states: "Any animal forfeited, abandoned, ownerless or unclaimed, and any other animals to be disposed of by the county enforcement agent, shall be placed by adoption in a suitable home or humanely destroyed." These are the only options in the code, "a suitable home" or "humanely destroyed." These options don't acknowledge rescue groups or community cat, trap, neuter, release (TNR) programs as viable options for the aforementioned animals.

In order to acknowledge and efficiently facilitate modern, animal friendly, life-saving partnerships, PCAO requested staff submit the attached draft ordinance to the Pima County Board of Supervisors to specify that PACC can release animals to rescue partners which are duly incorporated humane societies or other nonprofit corporate organizations that are devoted to the welfare, protection and humane treatment of animals.

Over the past few weeks considerable input and effort has resulted in the ordinance undergoing a number of modifications. At its July 17, 2014 meeting, the Pima County Animal Care Advisory Committee discussed the ordinance change and unanimously (10-0) passed a motion to support a version as they modified it. Since then, through discussion with PCAO and a committee member, the ordinance was modified slightly from the version approved by the Committee. The modifications are:

- To make all three conditions within (A)(3) consistent, the second sentence in paragraph (A)(3) was changed from "Transferred animals shall be placed by adoption in a suitable home after first being sterilized; or shall be humanely destroyed; or may be released as part of a community cat program." to read "Transferred animals shall be placed by adoption in a suitable home after first being sterilized; humanely destroyed; or released as part of a community cat program."
- The addition of parentheses around "A" and "3" in the first and next to last sentence in paragraph B, making "A.3." "(A)(3)"
- The addition of "humanely trapped or otherwise humanely captured," to paragraph C.

CONTRACT NUMBER (If applicable): N/A

STAFF RECOMMENDATION(S): **Approval**

CORPORATE HEADQUARTERS: N/A

CLERK OF BOARD USE ONLY: BOS MTG. _____

ITEM NO. _____

PIMA COUNTY COST: ___ and/or REVENUE TO PIMA COUNTY:\$ 0

FUNDING SOURCE(S): N/A

(i.e. General Fund, State Grant Fund, Federal Fund, Stadium D. Fund, etc.)

Advertised Public Hearing:

	X	YES		NO
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Board of Supervisors District:

1		2		3		4		5		All	X
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IMPACT:

IF APPROVED:

The change will allow PACC to more efficiently transfer pets to reliable rescue partners such as The Humane Society of Southern Arizona with no further time intensive administrative requirements on both agencies. However, staff will continue to perform oversight operations and execute current rescue agreements with rescue partners who temporarily fall short in meeting the alteration or suitable home requirements. As is the case now, unauthorized or unreliable organizations will not be allowed to participate in the rescue program. Additionally, Pima County may enter into agreements with community cat TNR providers, securing funding and resources as made available.

IF DENIED:

PACC will be required to continue the burdensome administrative requirements to place unaltered animals in the care of nonprofit corporate organizations that are devoted to the welfare, protection and humane treatment of animals. Additionally, Pima County cannot enter into agreements with community cat TNR providers to take advantage of available funding and resources to address our community's free roaming cat problems.

DEPARTMENT NAME: Health

CONTACT PERSON: Kim Janes TELEPHONE NO.: 243-7776

ORDINANCE 2014 — _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO ANIMALS; AMENDING THE PIMA COUNTY CODE BY AMENDING CHAPTER 6.04, ANIMAL CONTROL REGULATIONS

THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, FINDS THAT:

- 1) The Board of Supervisors of Pima County, Arizona, has authority under A.R.S. § 11-1018 to adopt animal control regulations.
- 2) It is in the best interests of the County to reduce its homeless animal populations by amending certain provisions of the Pima County Code to permit the Pima Animal Care Center:
 - a) to transfer unaltered, unclaimed animals to duly incorporated nonprofit animal welfare organizations for sterilization and adoption into suitable homes; and
 - b) to participate in programs providing for the trapping, sterilization, and return of healthy community cats.

THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

SECTION 1. Title 6, Section 6.04.180 of the Pima County Code is amended to read as follows:

**Chapter 6.04
ANIMAL CONTROL REGULATIONS**

Section 6.04.180 Disposition of animals.

A. Any animal forfeited, abandoned, ownerless or unclaimed, and any other animals to be disposed of by the county enforcement agent, shall be:

1. placed by adoption in a suitable home or
2. humanely destroyed; or
3. transferred to a duly incorporated humane society or other nonprofit corporate animal-welfare organization devoted to the welfare, protection and humane treatment of animals. Transferred animals shall be placed by adoption in a suitable home after first being sterilized; humanely destroyed; or released as part of a community cat program.

B. As a condition of any transfer of animals under subsection (A)(3), the Pima Animal Care Center shall verify that any organization that receives animals is organized for the pursuit of animal welfare activities, is actively engaged in those

activities, does not breed nor release unsterilized animals, releases animals only through community cat programs or through adoption into suitable homes after first being sterilized, and complies with the sterilization, placement, and all other applicable provisions of this section, this chapter, this title, and other applicable laws. Such verification shall include announced and unannounced inspections of the organization's facilities and records. The Pima Animal Care Center may repossess any animals and their offspring from any organization that is not in compliance with these conditions, and shall repossess these animals if the organization is not in compliance with the mandates set forth in subsection (A)(3), or if the organization or its personnel violate a cruelty law. Any organization wishing to receive animals must agree in writing to the terms of this subsection.

C. For the purposes of this section, a "community cat program" means a program in which healthy, free-roaming cats are humanely trapped or otherwise humanely captured, sterilized, vaccinated against rabies, ear-tipped, and returned to the location where they were found.

* * *

SECTION 2. This Ordinance is effective 30 days after the date of adoption.

PASSED AND ADOPTED by the Board of Supervisors, Pima County, Arizona, this

_____ day of _____, 2014.

Chair, Pima County Board of Supervisors Date

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:



Deputy County Attorney