

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42

**CITY OF HOMER
HOMER, ALASKA**

Lord

ORDINANCE 23-48(A)

AN ORDINANCE OF THE CITY COUNCIL OF HOMER, ALASKA
AMENDING HOMER CITY CODE TITLE 20 ANIMALS.

WHEREAS, Homer City Code Title 20 Animals was substantially revised in 1988 with updates in 2016, and

WHEREAS, The 2015-16 Council-initiated Sustainable Animal Control Review Committee provided minor updates to Title 20 but noted that they did not have time for a full review, and

WHEREAS, Memorandum 16-026 from the Sustainable Animal Control Committee strongly encouraged the Council to update Title 20, and

WHEREAS, It is in the City's best interest to do periodic full reviews of HCC Titles to ensure they are current, applicable, and enforceable, and

WHEREAS, The proposed revisions to Title 20 were drafted through a collaborative effort with the Animal Control Officer and Animal Shelter staff, the City Clerk, the Homer Police Department and the City Attorney.

NOW THEREFORE BE IT ORDAINED:

Section 1. Homer City Code Chapter 20.04 Animals-General Provisions is hereby amended as follows:

Chapter 20.04
ANIMALS – GENERAL PROVISIONS

Sections:

20.04.010 Intent.

20.04.020 Definitions.

20.04.010 Intent.

The intent of this title is to control the running at large of animals within the City and to protect the general health, safety and welfare of the citizens of the City with respect to the keeping of animals. [Ord. 88-1, 1988].

43 **20.04.020 Definitions.**

44

45 In this title:

46 “Animal” means a domestic or domesticated member of the animal kingdom.

47

48 “At large” means that an animal is off the property of its owner and not under ~~the direct control~~
49 ~~of a competent person~~ **restraint as defined in this chapter.**

50

51 “Dog” means a member of the species Canis familiaris.

52

53 “Kennel” means a commercial premises where four or more dogs over four months of age are
54 owned, kept, boarded, bred or offered for sale.

55

56 “Large animal” means all cattle, horses, sheep, goats, swine or similar species commonly kept
57 as livestock.

58

59 “Prior conviction” means a conviction of a person for a violation of a provision of this title
60 involving any animal owned or controlled by the person within a 24-month period preceding
61 the date of the offense for which a citation of the person currently is pending.

62

63 “Quarantine” means the isolation of an animal in a substantial enclosure so that the animal
64 cannot be subject to contact with other animals or unauthorized persons.

65

66 “Restraint” means any of the following: (1) physical confinement by leash, chain, fence, or
67 building; or (2) ~~under competent voice control~~ **as defined in this section.** ~~when an animal is~~
68 ~~engaged in an activity or form of training requiring that it not be physically confined; or (3)~~
69 ~~under competent voice control when an animal is on the property of its owner.~~

70

71 “Vicious animal” means an animal which has bitten or attacked a human being or another
72 animal at any time without provocation. [Ord. 16-38(S)(A) § 3, 2016; Ord. 88-1, 1988].

73

74 **“Voice control” means the dog returns immediately to and remains by the side of the**
75 **owner in response to the owner’s verbal whistle or hand signal, if the dog approaches or**
76 **remains within 10 feet of any other person than the owner, the dog is not under voice**
77 **control and is be deemed at large.**

78

79 Section 2. Homer City Code Chapter 20.08 Animals-General Provisions is hereby
80 amended as follows:

81

82

83

84

85

Sections:

Chapter 20.08
GENERAL ANIMAL REGULATIONS

- 86 20.08.010 Animals at large.
- 87 20.08.020 Impoundment procedures.
- 88 20.08.030 Animals on harbor floats.
- 89 20.08.040 Nuisance animals.
- 90 20.08.050 Cruelty or injury to animals.
- 91 20.08.060 ~~Boarding dogs at animal shelter.~~ **Repealed.**
- 92 20.08.070 Female animals in heat – Confinement required.
- 93 20.08.080 Abandonment of animals.
- 94 20.08.090 Maintenance and sanitation.
- 95 20.08.100 Adoption of shelter animals.
- 96 20.08.110 Disposal of animal at request of owner.

97
98

99 **20.08.010 Animals at large.**

100

101 a. No person may cause or permit an animal to be at large in a public street or alley, or on other
102 public property, or on private property without the property owner’s consent.

103

104 b. No person other than the Animal Control Officer ~~or a peace officer~~ performing duties under
105 this title may release an animal from restraint without its owner’s consent, except to preserve
106 the animal’s life. A person who releases an animal from restraint to preserve its life shall
107 promptly report having done so to the animal’s owner or the Animal Control Officer.

108

109 c. The Animal Control Officer ~~or a peace officer~~ may capture or **humanely** destroy by any
110 means an animal at large that presents an immediate threat to public safety.

111

112 d. The owner of an animal that is at large may be cited for a violation of this section without
113 the impoundment of the animal.

114

115 ~~e. Except as provided in subsections (f) and (g) of this section, the penalty for a violation of~~
116 ~~subsection (a) or (b) of this section, with zero, one, or two prior convictions, is the fine listed in~~
117 ~~the fine schedule in HCC 20.32.020.~~

118

119 ~~f. Except as provided in subsection (g) of this section, a violation of subsection (a) or (b) of this~~
120 ~~section with three or more prior convictions shall be punishable by a fine of not less than~~
121 ~~\$300.00 nor more than \$500.00, and the unsuspended portion of the fine shall not be less than~~
122 ~~\$100.00.~~

123

124 ~~g. A violation of subsection (a) of this section where the animal is a large animal, as defined in~~
125 ~~HCC 20.04.020, with one or more prior convictions shall be punishable by a fine of not less than~~
126 ~~\$300.00 nor more than \$500.00, and the unsuspended portion of the fine shall not be less than~~
127 ~~\$100.00. [Ord. 18-11 § 20, 2018; Ord. 16-38(S)(A) § 4, 2016].~~

128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169

20.08.020 Impoundment procedures.

~~a. The Animal Control Officer or a peace officer may capture and impound an animal that is at large in violation of HCC 2.08.010(a). The Animal Control Officer or a peace officer may pursue an animal onto private property in the course of effecting its impoundment, and if necessary use a cage trap to capture an animal.~~

~~b. Immediately upon impounding an animal whose owner is known to the impounding Animal Control Officer or peace officer, the officer shall make a reasonable effort to inform the owner of the impoundment and the conditions on which the owner may regain custody of the animal.~~

~~c. An animal that is impounded under the provisions of this chapter shall be held in the City animal shelter, and there confined in a humane manner for a minimum of five days the applicable minimum period under subsection (d) of this section unless sooner claimed by the owner;. **Animals impounded at the shelter will be vaccinated and microchipped on intake.** **Animals** and if not claimed by the owner thereafter may be, at the discretion of the Animal Control Officer, offered to the public **for** adoption or in the case of a large animal sold at public auction with public notice in the manner provided for the sale at execution of personal property in AS 09.35.140 **as outlined below**, or destroyed in a humane manner.~~

1. The City shall publish in a newspaper of general circulation in the City a notice of the intention of the City to sell a large animal at public auction, on a day and at a place and time certain, not less than 10 days prior to the sale, for cash to the highest and best bidder. At any time prior to the auction, the owner may redeem the animal by cash payment of all fees and charges against the animal.

2. The minimum acceptable bid shall be a sum equal to the City's fees and charges against the animal. The proceeds of the sale shall be first applied to the cost of sale, then to accrued fees and charges, service fees, storage charges, attorney fees and costs, and other expenses provided for in this title, and the balance, if any, shall be held in trust by the City for the owner of the animal to claim; and if not claimed within one year, the balance shall be deposited animal control fund. Upon the sale being made, the City shall make and deliver its bill of sale, without warranty, conveying the animal to the buyer.

~~d. The minimum period for which an impounded animal shall be held at the animal shelter shall be~~

- ~~1. For a dog that is impounded while wearing a City license, five days.~~
- ~~2. For any other animal, three days.~~

170
171 **ed.** No impounded animal may be released from the animal shelter into the custody of its
172 owner unless the owner has:

173
174 1. ~~Paid all impoundment and boarding fees, and the cost of any veterinary treatment~~
175 ~~provided to the animal while impounded~~ **Satisfied the requirements of the Animal**
176 **Control Officer as outlined in the Animal Shelter’s Animal Control Policy;**
177

178 2. ~~For a dog owned by a City resident that was impounded while not wearing a City dog~~
179 ~~license, either produced evidence satisfactory to the Animal Control Officer that a~~
180 ~~current City dog license has been issued for the dog, or if the dog is unlicensed paid the~~
181 ~~fee for a City dog license for the dog; and~~

182
183 ~~3.~~ 2. For a dog, either produced evidence satisfactory to the Animal Control Officer that
184 the dog has a current rabies vaccination, or paid the fee for a 30-day rabies vaccination
185 voucher under HCC 20.16.030. [Ord. 16-38(S)(A) § 4, 2016].
186

187 **20.08.030 Animals on harbor floats.**

188
189 No person may bring, keep, or maintain an animal on the floats of the Homer small boat
190 harbor, unless the animal is kept under physical confinement by leash or chain at all times. The
191 person in control of the animal shall be responsible for cleaning and removing the animal’s
192 waste from the harbor floats. The City will charge the person in control of the animal for **the**
193 **amount listed in the City of Homer Fee Schedule** ~~labor (minimum of one-half hour) required~~
194 ~~for cleaning and removing any animal waste that the person fails to clean and remove.~~ [Ord.
195 16-38(S)(A) § 4, 2016].
196

197 **20.08.040 Nuisance animals.**

198
199 a. No person may cause or permit an animal that the person owns or controls to:

200
201 1. Annoy another person by interfering with the latter’s sleep, work or reasonable right
202 to peace and privacy by making repeated or continued noise;

203
204 2. Defecate, dig upon or injure private property owned by another person or a public
205 street or alley, or other public property;

206
207 3. Frequently or habitually growl, snap at, jump upon or otherwise menace, injure or
208 frighten another person who is not trespassing or otherwise violating the law; ~~or.~~

209
210 4. ~~Chase, harass, or otherwise disturb or injure wildlife.~~
211

212 b. The Animal Control Officer ~~or a peace officer~~ may impound an animal that is engaging in
213 behavior described in subsection (a) of this section. A person may restrain an animal from
214 continuing to engage in behavior described in subsection (a)(4) of this section, and shall
215 promptly surrender any animal so restrained to the Animal Control Officer for impoundment.
216

217 ~~c. A violation of subsection (a) of this section with three or more prior convictions shall be~~
218 ~~punishable by a fine of not less than \$300.00 nor more than \$500.00, and the unsuspended~~
219 ~~portion of the fine shall not be less than \$100.00. [Ord. 16-38(S)(A) § 4, 2016].~~
220

221 **20.08.050 Cruelty or injury to animals.**

222
223 a. No person may intentionally injure, torment, poison, provoke, or otherwise abuse an animal,
224 including without limitation through a violation of HCC 7.15.010, Transporting an animal.
225

226 b. No person may intentionally kill an animal by injury, torment, poison, suffocation,
227 decompression or other forms of abuse of the animal.
228

229 c. No person may maintain an animal without providing food, water, and shelter adequate to
230 preserve the animal's health, or abandon an animal where it will not be provided proper food,
231 water, shelter, and care.
232

233 d. No person may maintain an animal showing symptoms of infectious or contagious disease
234 without keeping the animal confined in a building or secure enclosure and under proper care.
235

236 e. No person may cause an animal to fight another animal or human being, whether for
237 amusement or financial gain; or train, or keep for the purpose of training, an animal for
238 exhibition in combat with an animal or human being. No person may permit property that the
239 person owns or controls to be used for any of the purposes described in this subsection.
240

241 f. No person may use a trap or snare within the City limits that can kill or injure a domestic
242 animal except under the supervision of a state or federal wildlife agency addressing a specific
243 nuisance wildlife issue, and with prior notice to the Animal Control Officer of the name and
244 contact information of each person who will be working the trap(s), and the type of trap(s) and
245 the location of trap(s) being used.
246

247 ~~g. No person may cause or permit an animal that the person owns or controls to molest or~~
248 ~~harass wild or domesticated animals.~~
249

250 h. The driver of a vehicle involved in an accident resulting in injury to an animal shall stop the
251 vehicle as close to the scene of the accident as safely possible and inform the owner of the
252 animal of the accident and injury to the animal, if the animal's ownership is readily
253 ascertainable. If the owner of the animal is not readily ascertainable, the driver shall inform

254 the Animal Control Officer or Police Department as quickly as reasonably possible of the
255 accident and injury to the animal.

256
257 i. Notwithstanding any other provision of this section, the Animal Control Officer, ~~a peace~~
258 ~~officer~~ or a licensed veterinarian may humanely euthanize an animal that in that person's
259 opinion is so seriously ill or injured that medical treatment would needlessly prolong the
260 animal's suffering; ~~provided, that if~~ the animal bears identification of ownership, the Animal
261 Control Officer, ~~law enforcement officer~~ or licensed veterinarian ~~first~~ shall make a reasonable
262 ~~an~~ effort to ~~inform~~ **contact** the owner of the animal's condition and obtain the owner's consent
263 ~~to~~ **before** euthanizing the animal.

264
265 j. This section does not apply to: impounding, destruction, or other disposition of an animal in
266 a humane manner as authorized by law **Homer City Code and/or Alaska Statutes**; killing or
267 injuring an animal where necessary to protect a human being or domesticated animal from
268 death or bodily injury; or the humane destruction of an animal by its owner or the owner's
269 authorized agent.

270
271 k. ~~A violation of subsections (a) through (h) of this section shall be punishable by a fine of not~~
272 ~~less than \$300.00 nor more than \$500.00, and the unsuspended portion of the fine shall not be~~
273 ~~less than \$300.00. [Ord. 16-38(S)(A) § 4, 2016].~~

274
275 20.08.060—~~Boarding dogs at animal shelter.~~ **Repealed**

276
277 ~~The Homer Animal Shelter may accept a dog for boarding if the following requirements are~~
278 ~~met:~~

- 279
280 a. ~~The owner and dog must reside inside the City.~~
- 281
282 b. ~~The owner pays boarding fees in advance for a maximum of 10 days. The owner shall pay~~
283 ~~double the standard boarding fees for any time from the end of the time for which boarding~~
284 ~~fees were paid in advance until the owner claims the dog from the animal shelter.~~
- 285
286 c. ~~The owner provides proof from a veterinarian that the dog has current vaccinations for~~
287 ~~rabies, parvo, distemper and Bordetella (kennel cough).~~
- 288
289 d. ~~The owner exhibits proof that the dog has a current City dog license.~~
- 290
291 e. ~~The owner reserves boarding space 24 hours in advance of the desired boarding time, and~~
292 ~~at the time of reservation space to board the dog will be available. The animal shelter will not~~
293 ~~board more than four dogs at a time.~~

294

295 ~~f. The animal shelter may deny boarding to a dog that it determines to be sick, injured, vicious,~~
296 ~~or in heat.~~

297
298 ~~g. Before the boarding time begins, the owner of the dog executes a boarding agreement~~
299 ~~including all the requirements in this section and an agreement to hold the Homer Animal~~
300 ~~Shelter and the City harmless and waive liability claims against the Homer Animal Shelter and~~
301 ~~the City.~~

302
303 ~~h. All boarding costs shall be paid in full before the dog is released to its owner or designee.~~

304
305 ~~i. The Homer Animal Shelter will not board dogs if any licensed private commercial boarding~~
306 ~~kennel is operating within the City and that facility has space available for animal boarding.~~
307 ~~[Ord. 16-38(S)(A) § 4, 2016].~~

308
309 **20.08.070 Female animals in heat – Confinement required.**

310
311 Every female ~~dog or cat~~ **animal** in season shall be kept confined in a building or secure
312 enclosure, or in a veterinary hospital or boarding kennel, in such a manner that such female
313 ~~dog or cat~~ **animal** cannot come in contact with another ~~dog or cat~~ **animal** except for planned
314 breeding purposes. [Ord. 16-38(S)(A) § 4, 2016].

315
316 **20.08.080 Abandonment of animals.**

317
318 No person may intentionally abandon an animal including without limitation leaving the
319 animal unattended outside of the animal shelter. [Ord. 16-38(S)(A) § 4, 2016].

320
321 **20.08.090 Maintenance and sanitation.**

322
323 A person who owns an animal shall maintain all structures, pens and yards where the animal
324 is kept, and all areas adjacent thereto, in a clean and sanitary condition and free from
325 objectionable odor. [Ord. 16-38(S)(A) § 4, 2016].

326
327 **20.08.100 Adoption of shelter animals.**

328
329 To minimize the destruction of animals, the City shall make unclaimed animals and animals
330 turned in to the animal shelter for disposal available for adoption by any adult person except
331 as restricted herein. ~~The City may collect a~~ **A fee may be collected** for the adoption of each
332 animal **as listed in the City of Homer Fee Schedule**. The Animal Control Officer may deny
333 adoption of an animal to any person with a documented record of frequent violations of this
334 title or a history of animal abuse, neglect, or housing animals in inhumane or unsanitary
335 conditions. Frequent violation for purposes of this section shall mean three or more
336 convictions in the last 24 months. [Ord. 16-38(S)(A) § 4, 2016].

337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378

20.08.110 Disposal of animal at request of owner.

The animal shelter will accept an animal from its owner for disposal upon the owner's execution of a written consent agreement holding the City harmless from liability for the destruction of the animal. Upon execution of the agreement, the animal becomes property of the City and at the City's option may be disposed of by adoption or destruction in a humane manner. The City reserves the right to refuse to dispose of any animal. [Ord. 16-38(S)(A) § 4, 2016].

Section 3. Homer City Code Chapter 20.12 Licensing of Animals is hereby repealed.

Chapter 20.12
LICENSING OF ANIMALS

Sections:

- ~~20.12.010 License required—Issuance.~~
- ~~20.12.020 License tag to be worn and displayed.~~
- ~~20.12.030 Repealed.~~
- ~~20.12.010 License required—Issuance.~~

~~No person may own, keep or harbor a dog over four months of age in the City that is not licensed as provided in this chapter. The animal shelter shall issue a dog license upon receiving an application stating the owner's name and address and the name, breed, color and sex of the dog, a certificate from a licensed veterinarian that the dog has a current rabies vaccination, and payment of the license fee. A dog license shall be issued for a period of two years that begins on January 1st of an even numbered year and ends on December 31st of the following odd numbered year. The full license fee shall be payable for a dog license that is issued at any time during an even numbered year and the fee for a dog license that is issued at any time during an odd numbered year shall be one half of the full license fee. [Ord. 16-38(S)(A) § 5, 2016; Ord. 14-52 § 1, 2014; Ord. 88-1, 1988].~~

~~20.12.020 License tag to be worn and displayed.~~

~~Upon payment of the license fee, the animal shelter shall issue to the owner of a dog a receipt for payment of the license fee and a license tag for the dog. The tag shall bear the years for which it was issued and a number corresponding to the number on the receipt. The owner of a dog subject to licensing under this chapter shall cause the dog to wear a collar or harness to which the license tag shall be affixed at all times. In case a dog tag is lost or destroyed another will be issued upon payment of a replacement fee. Dog tags are not transferable from one dog to another. [Ord. 16-38(S)(A) § 6, 2016; Ord. 88-1, 1988].~~

~~20.12.030 Counterfeit tags prohibited.~~

379 ~~Repealed by Ord. 16-38(S)(A). [Ord. 88-1, 1988].~~

380
381 Section 4. Homer City Code Chapter 20.16 Animal Disease Control is hereby amended
382 as follows:

383
384 Chapter 20.16
385 ANIMAL DISEASE CONTROL
386

387 Sections:

- 388 20.16.010 Rabies vaccination required.
389 20.16.020 Quarantine of rabid animals required.
390 20.16.030 Rabies vaccination voucher authorization.
391 20.16.010 Rabies vaccination required.

392
393 Every owner of a dog over four months old shall have the dog vaccinated against rabies. [Ord.
394 16-38(S)(A) § 8, 2016; Ord. 88-1, 1988].

395
396 **20.16.020 Quarantine of rabid animals required.**

397
398 a. If a dog or other animal is believed to have rabies or to be vicious, or has been bitten by a
399 dog or other animal suspected of having rabies, the dog or other animal shall be confined by a
400 leash or chain in a substantial enclosure on the owner's premises and shall be placed under
401 the observation of a duly licensed physician or veterinarian for 10 days at the expense of the
402 owner. The owner shall notify ~~a peace officer or~~ **the** Animal Control Officer that the dog has
403 been exposed to rabies, and the officer may, at the officer's discretion, place the dog under
404 observation in a designated isolation ward at the animal shelter for the quarantine period at
405 the expense of the owner. (Note: also see 7 AAC 27.020.)

406
407 b. The Chief of Police **or Animal Control Officer** shall promptly notify the State Health
408 Department Officer of the location and description of the ~~dog or other~~ animal having rabies or
409 suspected of having rabies, and supply the State Health Officer with the names and addresses
410 of the persons who have been bitten, scratched or had any contact with the suspected animal.

411
412 c. ~~A peace officer~~ **The Animal Control Officer** may enter upon private property where a dog or
413 other animal that is alleged to have bitten a person is kept, to inspect, seize and impound the
414 dog as provided in this chapter. [Ord. 16-38(S)(A) § 9, 2016; Ord. 88-1, 1988].

415
416 **20.16.030 Rabies vaccination voucher authorization.**

417
418 The Animal Control Officer may collect the fee for, and issue to an owner claiming a dog at the
419 animal shelter who is unable to provide adequate proof of current rabies vaccination for the
420 dog, a "rabies vaccination voucher." This voucher shall be valid for 30 days, and within that

421 period shall entitle the bearer to rabies vaccination for the dog identified thereon, at any
422 licensed veterinarian agreeing to accept same. The City **Animal Shelter contractor** shall set
423 fees for such voucher, ~~at the average rates currently being charged by all veterinarians licensed~~
424 ~~within the City.~~ [Ord. 16-38(S)(A) § 10, 2016; Ord. 88-1, 1988].

425
426 Section 5. Homer City Code Chapter 20.20 Dangerous Animals is hereby amended as
427 follows:

428
429 Chapter 20.20
430 DANGEROUS ANIMALS

431
432 Sections:

- 433 20.20.010 Permitting animals to bite prohibited.
434 20.20.020 Destruction prohibited pending quarantine.
435 20.20.030 Vicious animal.
436 20.20.040 Administrative hearing procedures.
437 20.20.050 Destruction of vicious animal.
438 20.20.060 Conditional release of vicious animal.

439
440 **20.20.010 Permitting animals to bite prohibited.**

441
442 a. No person may permit any animal that the person owns or controls to bite a person or
443 another animal, unless the person bitten is engaged in the commission of a criminal act. It is
444 an affirmative defense to a charge of violating this section that the victim of the bite provoked
445 the animal into biting, or was bitten while trespassing on premises totally enclosed by chain
446 link or similar density fencing by an animal housed therein. ~~A violation of this section shall be~~
447 ~~punishable by a fine of not less than \$300.00 and not more than \$500.00, and the unsuspended~~
448 ~~portion of the fine shall not be less than \$100.00.~~

449
450 ~~**b. No person may permit any dog to habitually annoy any animal or bird either domestic**~~
451 ~~**or wild. Any dog that evinces a disposition which makes it likely that it will without**~~
452 ~~**provocation bite an animal or fowl, will be considered a vicious animal subject to the**~~
453 ~~**provisions of 20.20.030.**~~

454
455 ~~**No person may permit any dog to habitually annoy any animal or bird either domestic or wild.**~~
456 ~~**Any dog that habitually engages in this behavior will be considered a vicious animal and subject**~~
457 ~~**to the provisions of 20.20.030 (a) & (d).**~~

458
459 ~~**b.c.**~~ The City shall serve notice on the owner of an animal which has bitten a person or another
460 animal without provocation, advising the owner that the animal is now a vicious animal and is
461 subject to destruction if at large. [Ord. 16-38(S)(A) § 11, 2016; Ord. 88-1, 1988].

462
463 **20.20.020 Destruction prohibited pending quarantine.**

464
465 No person may kill or maim an animal which is known to have bitten a person or animal
466 without the prior consent of the ~~Chief of Police~~ **Animal Control Officer**. Nothing in this section
467 shall prohibit the killing of an animal where such destruction is necessary for the protection of
468 life and limb, or for the purpose of preventing a further attack. One of the purposes of the
469 enactment of this chapter is to enable the ~~Chief of Police~~ **Animal Control Officer** to observe
470 any dogs and other animals which have bitten any person or animal in order to determine
471 whether the same are infected by rabies. ~~A violation of this section shall be punishable by a~~
472 ~~fine of not less than \$300.00 and not more than \$500.00, and the unsuspended portion of the~~
473 ~~fine shall not be less than \$100.00.~~ [Ord. 16-38(S)(A) § 12, 2016; Ord. 88-1, 1988].

474
475 **20.20.030 Vicious animal.**

476
477 No person may:

- 478
479 a. Permit a vicious animal to be at large;
480
481 b. Knowingly or negligently permit a vicious animal to bite any person unless the person bitten
482 is in the act of committing a criminal offense;
483
484 c. Permit a vicious animal to be housed or transported in or on any motor vehicle unless the
485 animal is muzzled to prevent the animal from biting any person. ~~(Exception: vicious animals~~
486 ~~locked in the passenger compartment of a motor vehicle need not be muzzled if the windows~~
487 ~~are adequately closed to prevent the animal from exiting the vehicle);~~
488
489 d. Permit a vicious animal to leave premises owned or controlled by the animal's owner or his
490 agent ~~(except as authorized in subsection (c) of this section)~~ unless the animal is securely
491 muzzled.

492
493 Any animal in violation of subsection (a) or (b) of this section shall, upon conviction of the
494 owner or the agent, for that offense, be immediately seized by the City and held for destruction.
495 ~~A violation of this section shall be punishable by a fine of not less than \$300.00 nor more than~~
496 ~~\$500.00, and the unsuspended portion of the fine shall not be less than \$100.00.~~ [Ord. 16-
497 38(S)(A) § 13, 2016; Ord. 88-1, 1988].

498
499 **20.20.040 Administrative hearing procedures.**

500
501 All animals seized pursuant to HCC 20.20.030 shall be held in impound pending an
502 administrative hearing concerning their potential destruction. The administrative hearing
503 shall be conducted as follows:
504

- 505 a. ~~An Administrative Hearing Board shall be convened consisting of the City Manager (who shall~~
506 ~~chair the proceedings), the Chief of Police, or their designee shall serve as hearing officer.~~
507 ~~and one member of the City Council (selected by the City Manager).~~
508
- 509 b. ~~A notice of administrative hearing shall be served upon the animal's owner or his~~ **their**
510 ~~designee under the procedures set for service of summons in a civil action~~ **shall be notified of**
511 ~~The notice shall specify the date, time, and location of the hearing. The hearing may not be~~
512 ~~less than three days following the service of the hearing notice on the animal owner or his~~
513 ~~designee.~~
514
- 515 c. The hearing shall consider all information pertinent to the specific violation of HCC 20.20.030
516 which initiated the impoundment and hearing process, and may additionally consider any
517 information concerning prior violations or incidents with this same animal, as well as any
518 information concerning the animal owner's or his designee's prior violations of the Homer
519 animal ordinances with any other animal.
520
- 521 d. The hearing shall address and enter its formal findings as to whether:
522
- 523 1. The animal is a vicious animal under HCC 20.04.020;
 - 524 2. The owner or designee thereof failed to use all reasonable precautions to control his
525 animal and protect the public;
 - 526 3. The circumstances of this incident under consideration constitute a danger to the
527 public.
- 528
- 529 e. ~~If a majority of Board members~~ **the hearing officer** ~~finds~~ in the affirmative as to all three of
530 the provisions of subsection (d) of this section, the ~~Hearing Board~~ **hearing officer** shall order
531 the animal destroyed. The owner or designee, if present at the hearing, shall be verbally
532 notified of the findings and order ~~at the conclusion~~ **within 24 hours** of the hearing. Written
533 findings shall ~~also~~ be prepared and served upon the owner or designee. If the owner or
534 designee is not present at the hearing, written findings and destruction order shall be served
535 on that person as soon as possible following the hearing.
536
- 537 f. Absent an affirmative finding by the ~~Hearing Board~~ **hearing officer** as to one or more of the
538 provisions of subsection (d) of this section, the animal shall be immediately released to its
539 owner or designee. The ~~Hearing Board~~ **hearing officer** shall, in the event of release under this
540 provision, prepare a written notice which shall be delivered or mailed to the animal's owner,
541 outlining the ~~Hearing Board's~~ **hearing officer's** recommendations as to actions that owner
542 should take to prevent future incidents and to protect the public.
543
- 544 g. Any appeal of the ~~Hearing Board's~~ **hearing officer's** finding and destruction order shall be
545 taken through the Alaska Court System within ~~10~~ **30** days of the receipt of said findings and
546 order by the owner. The filing of an appeal will automatically stay the order of destruction

547 pending resolution of the appeal. The animal shall remain in impound at the owner's expense
548 pending resolution of the appeal. [Ord. 16-38(S)(A) § 14, 2016; Ord. 88-1, 1988].

549

550 **20.20.050 Destruction of vicious animal.**

551

552 Vicious animals to be destroyed upon Administrative Hearing Board ~~Board~~ **Officer** order shall be
553 destroyed as follows:

554

555 a. The animal shall remain in impound for ~~10~~ **30** days following the date the owner (or his
556 designee) is verbally notified of the ~~Hearing Board's~~ **hearing officer's** decision, or the date that
557 a written finding and destruction order is served on the owner (or his designee) to allow that
558 person to appeal the destruction order through the courts.

559

560 b. If the City is not served with a notice of appeal of the destruction order within the ~~10~~ **30** day
561 holding period outlined in subsection (a) of this section, the City shall immediately proceed to
562 humanely destroy the animal. [Ord. 88-1, 1988].

563

564 **20.20.060 Conditional release of vicious animal.**

565

566 The City may, at its option, in lieu of destruction of the animal, agree to return the vicious
567 animal to its owner (or his lawful agent) if that person signs a ~~contractual~~ **conditional release**
568 agreement with the City wherein the owner agrees:

569

570 a. To immediately remove the animal from the City;

571

572 b. Agrees to the immediate seizure and destruction of the animal if it enters the City limits;

573

574 c. Agrees to **defend and** indemnify the City for any and all damages resulting from any act of
575 this animal from the date of the agreement;

576

577 d. Any other reasonable provision deemed necessary by the ~~City Attorney~~ **Animal Control**
578 **Officer**. [Ord. 88-1, 1988].

579

580 Section 6. Homer City Code Chapter 20.24 Enforcement Authority – Interference is
581 hereby amended as follows:

582

583

Chapter 20.24

584

ENFORCEMENT AUTHORITY – INTERFERENCE

585

586 Sections:

587 20.24.010 Enforcement.

588 20.24.020 Interference with enforcement officer prohibited.

- 589 20.24.030 Unauthorized removal of animals.
590 20.24.040 Tampering with City live traps prohibited.
591 20.24.050 Removal of quarantined animals prohibited.
592 20.24.060 Furnishing false information.

593

594 **20.24.010 Enforcement.**

595

596 This title may be enforced by any ~~peace officer~~ **Animal Control Officer**. Additionally, a private
597 person may lawfully detain any animal in violation of this title provided the person promptly
598 notifies the Animal Control Officer and surrenders the animal to the Animal Control Officer in
599 compliance with HCC 20.08.040(b). [Ord. 16-38(S)(A) § 15, 2016; Ord. 88-1, 1988].

600

601 **20.24.020 Interference with enforcement officer prohibited.**

602

603 No person shall interfere with, oppose or resist any ~~peace officer or an~~ **Animal Control Officer**
604 in the performance of his **their** duties as provided in this title. ~~A violation of this section shall~~
605 ~~be punishable by a fine of not less than \$300.00 nor more than \$500.00, and the unsuspended~~
606 ~~portion of the fine shall not be less than \$100.00.~~ [Ord. 16-38(S)(A) § 15, 2016; Ord. 88-1, 1988].

607

608 **20.24.030 Unauthorized removal of animals.**

609

610 No person may remove or release any animal from the animal shelter, animal control vehicles,
611 municipal animal traps or from any other official custody without first obtaining permission to
612 do so from the Animal Control Officer ~~or any peace officer~~. ~~A violation of this section shall be~~
613 ~~punishable by a fine of not less than \$300.00 nor more than \$500.00, and the unsuspended~~
614 ~~portion of the fine shall not be less than \$100.00.~~ [Ord. 16-38(S)(A) § 15, 2016; Ord. 88-1, 1988].

615

616 **20.24.040 Tampering with City live traps prohibited.**

617

618 No person may tamper with any City-owned or City-operated animal live trap. "Tampering"
619 means removal or destruction of bait(s), tripping the door closure mechanism, obstructing the
620 entryway so as to prevent animals from entering the trap, or the physical removal of the trap
621 from its position. ~~A violation of this section shall be punishable by a fine of not less than \$300.00~~
622 ~~nor more than \$500.00, and the unsuspended portion of the fine shall not be less than \$100.00.~~
623 [Ord. 16-38(S)(A) § 15, 2016; Ord. 88-1, 1988].

624

625 **20.24.050 Removal of quarantined animals prohibited.**

626

627 No person may remove from the animal shelter or any veterinary hospital, or from any other
628 place, any animal which has been quarantined without the consent of the Chief of Police or
629 Animal Control Officer. ~~A violation of this section shall be punishable by a fine of not less than~~

630 ~~\$300.00 nor more than \$500.00, and the unsuspended portion of the fine shall not be less than~~
631 ~~\$100.00.~~ [Ord. 16-38(S)(A) § 15, 2016; Ord. 88-1, 1988].

632

633 **20.24.060 Furnishing false information.**

634

635 No person may knowingly provide false information on any license application, adoption or
636 disposal agreement, boarding agreement, citation, or any other official document being
637 executed pursuant to this title. [Ord. 16-38(S)(A) § 15, 2016; Ord. 88-1, 1988].

638

639 Section 7. Homer City Code Chapter 20.08 Kennels is hereby amended as follows:

640

641

Chapter 20.28

642

KENNELS

643 Sections:

644 20.28.010 Kennels – Generally.

645 20.28.020 Kennel license – Required.

646 20.28.030 Kennel license fee.

647

648 20.28.010 Kennels – Generally.

649

650 a. No kennel shall be maintained or operated in such a manner as to constitute a nuisance to
651 persons owning or occupying land in the vicinity of the land on which the kennel facility is
652 operated or maintained.

653

654 b. Any complaint that a kennel is in violation of this chapter shall be referred to the Animal
655 Control Officer. The Animal Control Officer may inspect the facilities to determine whether
656 such kennel constitutes a health hazard, nuisance or otherwise violates this chapter. Such
657 inspection shall be completed within seven days of the complaint.

658

659 c. If the Animal Control Officer determines that the kennel complained of is a health hazard,
660 violates this chapter, or is a public nuisance, or that dogs may not be safely kept therein, the
661 owner shall be notified and shall be granted a reasonable length of time within which to
662 remedy any deficiencies found and to comply with requirements of this chapter.

663

664 d. If, upon a second inspection after the expiration of the time granted in the notice, the kennel
665 is still in violation, the Animal Control Officer may then revoke any license previously issued for
666 such kennel. [Ord. 16-38(S)(A) § 16, 2016; Ord. 88-1, 1988].

667

668 20.28.020 Kennel license – Required.

669

670 a. No person may own or operate a kennel without first obtaining a kennel license. Application
671 for a kennel license shall be made to the Animal Control Officer.

672

673 b. Before a kennel license is issued, the Animal Control Officer shall inspect the kennel to
674 confirm that the kennel:

- 675
- 676 1. Has adequate shelter for the dogs from the elements;
 - 677 2. Has adequate provisions for keeping the dogs on the owner's premises; and
 - 678 3. Has adequate provisions for keeping the premises in a sanitary condition.
- 679

680 Upon finding that the kennel is in compliance with this chapter, the Animal Control Officer shall
681 issue the license. [Ord. 16-38(S)(A) § 16, 2016; Ord. 88-1, 1988].

682

683 20.28.030 Kennel license fee.

684

685 A kennel license shall be issued for a period of two years ~~that begins on January 1st of an even-~~
686 ~~numbered year and ends on December 31st of the following odd numbered year. The full~~
687 ~~license fee shall be payable for a kennel license that is issued at any time from January 1st of~~
688 ~~an even numbered year through June 30th of the following odd numbered year, and the fee~~
689 ~~for a kennel license that is issued in an odd numbered year on or after July 1st shall be one-~~
690 ~~half of the full license fee. The kennel license fee shall be in lieu of a dog license fee for each~~
691 ~~individual dog that is kept at the kennel; however, each dog that is kept at the kennel shall be~~
692 ~~subject to all other requirements for the issuance of a dog license. Each animal kept at the~~
693 ~~kennel shall be considered licensed under the kennel license so long as it remains at the~~
694 ~~kennel. The owner of a dog that will remain in the City must obtain a dog license for the dog~~
695 ~~when it ceases to be kept at the kennel. **for the amount listed in the City of Homer Fee**~~
696 **Schedule** [Ord. 16-38(S)(A) § 16, 2016; Ord. 88-1, 1988].

697

698 Section 8. Homer City Code Chapter 20.30 Records is hereby amended as follows:

699

700 Chapter 20.30
701 RECORDS

702 Sections:

703 20.30.010 Records.

704

705 20.30.010 Records.

706 a. The Animal Control Officer shall maintain complete and detailed records of the following as
707 required by City contract:

708

- 709 ~~1. The issuance and revocation of licenses under this title;~~
- 710 ~~2~~**1.** All animals brought into the custody of the animal shelter by impoundment or
711 otherwise;
- 712 ~~3~~**2.** The disposition of all animals in the custody of the animal shelter;
- 713 ~~4~~**3.** Rabies immunizations vouchers issued;
- 714 ~~5~~**4.** Reports required by or made pursuant to this title;

- 715 ~~6~~5. Investigations of violations of this title;
716 ~~7~~6. Monies received for fees and charges imposed by this title; and
717 ~~8~~7. Notices of violation, including the disposition thereof.

718
719 b. The Animal Control Officer shall not disclose the identity of a person who surrenders an
720 animal to the animal shelter or claims or adopts an animal from the animal shelter unless the
721 Animal Control Officer determines that protection of the public health, safety or welfare
722 requires such disclosure.

723
724 c. At the request of the Animal Control Officer, an animal owner shall authorize the owner's
725 veterinarian to release animal medical records related to a specific animal control
726 investigation. [Ord. 16-38(S)(A) § 17, 2016].

727
728 Section 9. Homer City Code Chapter 20.32 Fees and Penalties is hereby amended as
729 follows:

730

731 Chapter 20.32
732 FEES AND PENALTIES

733 Sections:

734 20.32.010 Animal control fee schedule.

735 20.32.020 Fine schedule.

736 20.32.030 Civil penalties.

737
738 20.32.010 Animal control fee schedule.

739
740 a. ~~The City licensing and s~~ **Animal Shelter** fees shall be set by City Council resolution, shall be
741 included in the City of Homer's fee schedule and may be amended by City Council resolution.

742
743 b. All impounded animals must be ~~properly licensed~~ **microchipped** and have current rabies
744 vaccinations prior to being released. Owners of impounded animals will be charged a daily
745 boarding fee for every full day that the animal stays in the shelter. Vaccination ~~and license~~ fees
746 shall be the owner's responsibility.

747
748 c. Animals being adopted shall be ~~properly licensed~~ **microchipped** and vaccinated.

749
750 d. The City **Animal Shelter** shall charge for any additional expense incurred ~~by the City~~ in the
751 actual impoundment, transportation, medical care, housing or feeding of any animal; which
752 expenses shall be paid in full prior to the animal's release.

753
754 e. Disposition of Fees. All ~~license and shelter~~ fees collected pursuant to this chapter shall be
755 paid ~~into the general fund of the City~~ **to the Animal Shelter contractor**. [Ord. 16-38(S)(A) § 18,
756 2016; Ord. 01-54, 2001; Ord. 88-1, 1988].

757

758 20.32.020 Fine schedule.

759
 760 Citations for offenses listed in this section may be disposed of as provided in AS 12.25.195
 761 through 12.25.230, without a court appearance, upon payment of the fine amounts listed
 762 below plus the State surcharge required by AS 12.55.039 and 29.25.074. Fines must be paid to
 763 the court. The Rules of Minor Offense Procedure in the Alaska Rules of Court apply to all
 764 offenses listed below. Citations charging these offenses must meet the requirements of Minor
 765 Offense Rule 3. If a person charged with one of these offenses appears in court and is found
 766 guilty, the penalty imposed for the offense may not exceed the scheduled fine amount plus any
 767 surcharge required to be imposed by AS 12.55.039 and 29.25.074. If an offense in this title is not
 768 listed in the fine schedule, the defendant must appear in court to answer the charges.

769

Code Section	Code Section Title	Fine per Day
HCC 20.08.010(a)	Animal at large	No prior conviction \$50; One prior conviction \$100; Two prior convictions \$200 <u>Not less than \$300 nor more than \$500, and unsuspended portion of fine shall not be less than \$100</u>
HCC 20.08.010(b)	Unauthorized release of animal from restraint	No prior conviction \$50; One prior conviction \$100; Two prior convictions \$200 <u>Not less than \$300 nor more than \$500, and unsuspended portion of fine shall not be less than \$100</u>
<u>HCC 20.08.010(g)</u>	<u>Large Animal at Large</u>	<u>\$1000</u>
HCC 20.08.030	Animals off-leash on harbor floats	\$25-\$50
<u>HCC 20.08.050</u>	<u>Failure to remove animal waste on harbor floats</u>	<u>\$50</u>
HCC 20.08.040(a)	Nuisance animals	No prior conviction \$50; One prior conviction \$100; Two prior convictions \$200

Code Section	Code Section Title	Fine per Day
		Three or more prior convictions shall be Punishable by a fine of not less than \$300 nor more than \$500, and the unsuspended portion of the fine shall not be less than \$100.
<u>HCC 20.08.050</u>	<u>Cruelty or injury to animals</u>	<u>Punishable by a fine of not less than \$300 nor more than \$500, and the unsuspended portion of the fine shall not be less than \$300.</u>
<u>HCC 20.20.010</u>	<u>Permitting animals to bite prohibited</u>	<u>Punishable by a fine of not less than \$300 and not more than \$500, and the unsuspended portion of the fine shall not be less than \$100.</u>
<u>HCC 20.20.020</u>	<u>Destruction prohibited pending quarantine</u>	<u>Punishable by a fine of not less than \$300 and not more than \$500, and the unsuspended portion of the fine shall not be less than \$100.</u>
<u>HCC 20.20.030</u>	<u>Vicious animal</u>	<u>Punishable by a fine of not less than \$300 nor more than \$500, and the unsuspended portion of the fine shall not be less than \$100.</u>
<u>HCC 20.24.020</u>	<u>Interference with enforcement officer prohibited</u>	<u>Punishable by a fine of not less than \$300 nor more than \$500, and the unsuspended portion of the fine shall not be less than \$100.</u>
<u>HC 20.24.030</u>	<u>Unauthorized removal of animals</u>	<u>Punishable by a fine of not less than \$300 nor more than \$500, and the unsuspended portion of the fine shall not be less than \$100.</u>
<u>HC 20.24.050</u>	<u>Removal of quarantined animals prohibited</u>	<u>Punishable by a fine of not less than \$300 nor more than \$500, and the unsuspended portion of the fine shall not be less than \$100.</u>
HCC 20.08.070	Female animals in heat	\$100

[Bold and underlined added. Deleted language stricken through]

Code Section	Code Section Title	Fine per Day
HCC 20.08.080	Abandonment of animals	\$100
HCC 20.08.090	Maintenance and sanitation	\$100
HCC 20.12.010	License required— issuance	\$50
HCC 20.12.020	License tag to be worn and displayed	\$50
HCC 20.24.060	Furnishing false information	\$200
HCC 20.28.020	Kennel license – Required	\$100

770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792

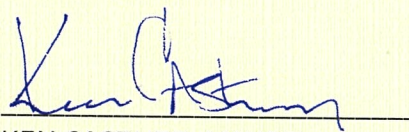
[Ord. 18-11 § 21, 2018; Ord. 16-38(S)(A) § 19, 2016].

20.32.030 Civil penalties.

In addition to or as an alternative to the criminal penalty mentioned in HCC 20.32.020, any person violating any provision of this title shall be subject to a civil penalty of not more than \$500.00. Each and every day that such violation continues shall be deemed a separate and distinct violation. In addition, a civil injunction or temporary restraining order may be obtained in order to obtain immediate compliance with the provisions of this chapter. The City may seek an award of reasonable attorney fees and costs from the court in prosecuting such an action. [Ord. 88-1, 1988].

ENACTED BY THE CITY COUNCIL OF HOMER, ALASKA, this 28th day of August, 2023.

CITY OF HOMER



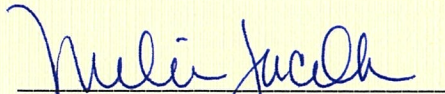
KEN CASTNER, MAYOR

793 ATTEST:

794

795

796



797 MELISSA JACOBSEN, MMC, CITY CLERK

798

799 Introduction: August 14, 2023

800 Public Hearing: August 28, 2023

801 Second Reading: August 28, 2023

802 Effective Date: August 29, 2023

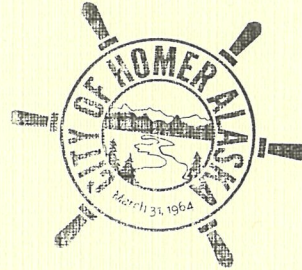
803

804 YES: 6

805 NO: 0

806 ABSTAIN: 0

807 ABSENT: 0





MEMORANDUM

Ordinance 23-48, An Ordinance of the City Council of Homer, Alaska Amending Homer City Code Title 20 Animals. Lord.

Item Type: Action Memorandum
Prepared For: Mayor and Homer City Council
Date: 8/28/23
From: Council Member Lord

After further review of Ordinance 23-48 the following amendments are proposed:

Section 20.08.010 (c) line 109 add the word humanely before destroy to read as follows:

c. The Animal Control Officer ~~or a peace officer~~ may capture or **humanely** destroy by any means an animal at large that presents an immediate threat to public safety.

Section 20.08.050 (i). line 261 retain the word "reasonable" and strike an, to read as follows:

i. Notwithstanding any other provision of this section, the Animal Control Officer, ~~a peace officer~~ or a licensed veterinarian may humanely euthanize an animal that in that person's opinion is so seriously ill or injured that medical treatment would needlessly prolong the animal's suffering; ~~provided, that if the animal bears identification of ownership, the Animal Control Officer, law enforcement officer or licensed veterinarian first shall make a reasonable~~ **an** effort to ~~inform~~ **contact** the owner of the animal's condition and ~~obtain the owner's consent to~~ **before** euthanizing the animal.

Section 20.20.010 (b) strike new language starting on line 450 and replace with:

b. No person may permit any dog to habitually annoy any animal or bird either domestic or wild. Any dog that evinces a disposition which makes it likely that it will without provocation bite an animal or fowl, will be considered a vicious animal subject to the provisions of 20.20.030.

No person may permit any dog to habitually annoy any animal or bird either domestic or wild. Any dog that habitually engages in this behavior will be considered a vicious animal and subject to the provisions of 20.20.030 (a) & (d).



City of Homer

www.cityofhomer-ak.gov

Office of the City Clerk

491 East Pioneer Avenue
Homer, Alaska 99603

clerk@cityofhomer-ak.gov

(p) 907-235-3130

(f) 907-235-3143

Memorandum 16-026

TO: MAYOR WYTHE AND THE HOMER CITY COUNCIL

FROM: MELISSA JACOBSEN, CMC, DEPUTY CITY CLERK

THROUGH: KATIE KOESTER, CITY MANAGER

DATE: FEBRUARY 1, 2016

SUBJECT: FINAL REPORT AND RECOMMENDATIONS FROM THE SUSTAINABLE ANIMAL CONTROL REVIEW COMMITTEE

The **Sustainable Animal Control Review Committee (SACRC)** met at least once monthly from October 2015 through January 2016. There was considerable public interest in this committee and members of the public attended the meeting on a regular basis. The purpose of the committee was to look at ways to operate the shelter more economically.

The SACRC recommended **fee changes** for the animal shelter to the Homer City Council, which were included and passed in the December 2015 budget process. The fees for the shelter had not been examined in many years and the committee felt these new fees will make the shelter more sustainable.

City liability was another issue the committee examined. The contract the City of Homer has with the contractor needs modification the next time an RFP is issued. The attorney recommends eliminating a specific paragraph in the contract (Page 16 Section V. Item C.) because the city cannot mandate contractor performance. It would be wise to review the content of the whole contract before issuing the RFP next December. Patrick Lawrence contacted AMLJIA and they suggested increasing the value of the insurance policy the contractor holds. The contractor has taken steps to increase the coverage in the new year.

The SACRC understands the city is in the process of changing the city **website**. While this activity is going on, the SACRC recommends that the city include links to the Animal Shelter contractor and Homer Animal Friends. Also the committee felt there would be more compliance with license purchase if an option to purchase the license were available online and all fees were clearly posted online.

Maintenance of the shelter was discussed. The city maintains the shelter and the contractor operates the shelter. Proper maintenance will sustain the building. The contractor and the Public Works department have discussed improved maintenance visits and communication. The HVAC system

maintenance was discussed in detail. The committee recommends cleaning the HVAC system once a year and perhaps twice a year.

Another way the committee felt the shelter could operate more economically was to have local **veterinarians** become involved. As a result of the SACRC process, the Homer Veterinary Clinic will be providing on-site support monthly to help the shelter contractor and volunteers meet the ASV (Association of Shelter Veterinarians) Standards of Care in Animal Shelters using ASPCA (American Society for the Prevention of Cruelty to Animals) checklists. This work will be provided pro-bono by staff veterinarians and licensed veterinary technicians.

Safety issues were considered. Limiting the city's liability was a topic of discussion. The committee looked at OSHA compliance and recommended an OSHA consultation in the future. The SACRC felt this voluntary visit by OSHA should be postponed for a few months, until the contractor feels they would benefit the most.

There are numerous **grants** available to nonprofit animal shelters that would provide considerable assistance to the operation of the shelter. The committee contemplated how the City of Homer could qualify for these grants, given the shelter is run by a contractor and the city does not operate the shelter. At this time, SACRC did not determine a way to qualify the shelter for these grants but the committee would encourage the new city grant writer to further examine possibilities for grants.

The committee examined other ways to **save funds** such as shelter specific software for financial tracking and records management. Improved tracking of income from the shelter will allow improved oversight of costs in running the shelter.

The SACRC felt that **education of the public** would also improve shelter operation. The committee understands the city intends to add informational brochures with bills in the future. To that end, a community volunteer from Homer Animal Friends has developed an informational brochure about the shelter and its fees to be included in the bills in the future.

Volunteers assist in smooth operation of the shelter. This topic was addressed in a myriad of ways. Most importantly, a Volunteer Release Form, per attorney advice, was developed to decrease city liability. The contractor reviewed their volunteer manual for both dog and cat care.

The committee looked at **Chapter 20** in the city code, which has not been updated since 1988. Time did not allow the committee to thoroughly review this chapter but there were several places in the code that members felt needed refining. For instance, there was nothing addressing safety of animals in open vehicles. The committee strongly encourages the City Council to update Chapter 20. City staff who participated on the committee is willing to assist with this and would solicit input from the contractor to provide recommended updates to the code in the future with Council's direction.

The SACRC did feel that the **most efficient operation** of the shelter would come from a city employee operating the shelter instead of a contractor.

Every member of the SACRC committee felt that it would be worthwhile for the city to continue an **Animal Shelter Review committee**. This committee would help the contractor with smooth

operation of the shelter and be a go between for the city and the contractor. The SACRC understands the council does not want to create new committees as a cost saving measure. The contractor has determined they will initiate a committee of their choosing to meet quarterly or as needed for shelter support.

As happens with committees, the scope of work seems to grow as members begin their work. There are numerous items that came up that could not be accomplished but we feel the process allowed us to work together raising awareness, soliciting input and establishing goals. Thank you so much for establishing this committee.