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Report to the Board of Animal Services Commissioners

MEETING DATE: September 26, 2017

PREPARED BY: Brenda Barnette

REPORT DATE: September 22, 2017

TITLE: General Manager

SUBJECT: REQUEST TO APPROVE POLICY TO ALLOW COMMUNITY MEMBERS TO CARE FOR FOUND DOGS AND CATS UNDER CERTAIN GUIDELINES.

BOARD ACTIONS RECOMMENDED:

APPROVE policy to allow community members to provide home care for found dogs and cats under certain guidelines and request Council to direct the City Attorney's office to draft an ordinance to amend the LAMC as required.

BACKGROUND:

Community members find dogs and cats in their neighborhoods. Sometimes they recognize them as pets of neighbors and return him/her home safely. Sometimes they do not know where the pet lives but would like to provide temporary home care until the owner can be found. Two or more neighborhoods have established their own informal rescue network for these companion animals.

Statistically, lost pets are often easier found the closer they are to home and that's generally within the community member's neighborhood with the help of posting flyers.

When these individuals call the shelter for help, they are told to bring the pet in and to surrender it. They are told that they can have "first rights" to adopt the found pet if the owner does not retrieve his or her pet. Many individuals do not want to surrender the pet to the shelter and this sometime creates conflict between the staff and the public.

We are aware of at least two groups and believe there are several others that routinely take responsibility for lost pets in their own neighborhood. They do not contact the shelter because they will be instructed to bring the pet in so the owner can find it. Although this is not required in the LAMC, this has been the practice and has created conflict between well intentioned staff and community members who want to help.

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The reason behind this request is to get people who are already finding lost pets to utilize the shelter to help spread the resource and finding that pet's owner.

Washoe County, Fairfax, Pima, Austin, Washington DC, Charlottesville, Philadelphia, Colorado Springs, and other cities with notable life saving and returned to owner rates incorporate such a policy or practice. By working with the community, more pets will be reunited with their families quicker, than enforcing it or getting anything that looks punitive to somebody who wants to keep a pet out of the shelter is not likely to be productive. Attached is a file containing samples of what some other communities are doing formally or informally.

The Los Angeles City Municipal Code section 53.09 on this topic does not require the impounding of the animal nor does it require that the animal be brought to the shelter.

LAMC Sec 53.09¹ states that after finding an animal on the loose, a person must, within four hours or within two hours thereafter if the animal is attached or hitched to a vehicle, give notice to the Department or to some police officer, that he has such animal in his possession, and provide a description of the animal, where he found and where he has confined the animal.

If requested to do so by the Department, the finder shall surrender such animal to the General Manager or their duly authorized representative upon demand.

SUMMARY OF PROPOSED CHANGE IN POLICY:

We propose to allow private citizens to provide home care for a dog or cat on the loose who is not wearing a license tag under certain guidelines. This home care shall be for up to 30 days unless the Department makes a demand for the animal in the event that the owner is located and then the animal must be brought to the Department so the owner can identify the pet or determine that it is not his/her pet.

The individual wishing to provide temporary home care for dog or cat on the loose will be agreeing to these conditions:

1. To advise the closest City Animal Shelter after finding an animal on the loose, a person must, within four hours or within two hours thereafter if the animal is attached or hitched to a vehicle, give notice to the Department, that he has such animal in his possession, and provide a description of the animal including weight, where he found and where he has confined the animal;
 - a. To provide a picture (two poses preferred) of the animal to the shelter for posting within 4 hours;
 - b. The picture will be posted on the LAAS website with the description and will indicate that the pet is being temporarily sheltered in a home waiting to find the owner and to call the shelter if you believe this is your pet to arrange a meeting at a shelter to see the pet;
 - c. To go to a veterinarian or one of our six shelters and have the animal weighed and scanned for a microchip within 4 hours;
 - d. To be willing to be a Good Samaritan and make sure that any medical needs are taken care of at their own expense understanding that a refund can be

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- requested from the owner if the owner is located;
- e. To make and distribute posters with the pet's picture and their contact information in the area where the ~~dog~~ ^{Animal} was found within 4 hours of finding the pet;
 - f. After 30 days, the person providing home care must either decide to keep the animal and get him/her vaccinated, altered and licensed (dog) OR they must surrender the animal to one of our six LA City animal shelters;
 - g. Finder must agree to keep the animal at the location provided for the full 30 days and any changes must be filed with LAAS City shelter;
 - h. If the animal is lost or stolen, it must be reported to the LAAS immediately;
 - i. If requested to do so by the Department, the finder shall surrender such animal to the General Manager or their duly authorized representative upon demand;
 - j. If the found animal has any medical needs, the finder **MUST** obtain veterinary care at their own expense, and a record verifying that an injured animal received treatment immediately by a licensed veterinarian must be submitted to the LAAS Chief Veterinarian within 24 hours at the shelter, along with the diagnosis, type of treatment, and prognosis by the vet. If the owner is located, the owner can be expected to reimburse the finder for any medical expenses incurred on behalf of the animal;
 - k. After 30 days but before 32 days, they either decide to keep the ~~dog~~ ^{Animal} and get him/her vaccinated, altered and licensed OR they surrender the ~~dog~~ ^{animal} to one of our six LA City animal shelters; and
 - l. If finder returns animal to owner in their neighborhood, they must immediately notify LAAS and provide the name and address of the owner.

Additional Important Information:

1. Failure to release the animal to the shelter if owner is identified could result in an officer going to the location and attempting to seize the animal and possible charges for theft against the finder;
2. If there have been mandatory veterinary care expenses incurred by the finder, the owner will be advised that those must be paid and that his or her name and address will be provided to the finder for collection;
3. If the animal is attacked by another animal or in any way injured or contracts a disease while in the care of the finder, the finder will be liable to the owner of the animal;
4. If the animal bites, attacks, or otherwise inflicts harm on a person or animal while the found animal is in their custody, the finder will be liable for the actions of the animal while it is in his or her custody;
5. If the animal escapes and causes an automobile accident in which someone is injured, the finder will be liable;
6. The Department may demand that the keeper of the animal show proof of insurance, has no history of animal abuse, and lives where the animal will be allowed and will not cause the finder to be in violation of the 3 dog and 3 cat Los Angeles City limit;
7. If the animal is pregnant (whether or not it is obvious), the finder will be required to notify the shelter and to determine whether the finder is prepared to foster and bear the expenses through whelping and until the young ones are weaned and when all young ones and mom will be returned to the shelter to be altered. The ~~puppies~~ ^{offspring} will be the property of the Department and will carry all of the rights for the finder that any foster volunteer has.

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SUMMARY AND PURPOSE:

That the Department, in its discretion, may authorize a finder of a lost of stray ~~dog~~ ^{animal} that has no license tag, to home foster the dog for up to 30 days if the person:

- 1.) advises the Department with their name and contact information, a description of the ~~dog~~ ^{animal}, where it was found, and where it is being held,
- 2.) takes a picture of the ~~dog~~ ^{animal} and sends the photo ASAP to the shelter for posting,
- 3.) has a vet or one of the shelters scan the ~~dog~~ ^{animal} for a microchip within 24 hours,
- 4.) makes sure that any medical needs are promptly taken care of,
- 5.) creates and distributes posters with the ~~dog's~~ ^{animal's} picture and their contact information in the area where the ~~dog~~ ^{animal} was found,
- 6.) promises to bring the ~~dog~~ ^{animal} to the nearest shelter if the owner is found within the 30 days.

Purpose of the ordinance amending the LAMC is to:

- 1.) Give lost ~~dog~~ ^{animal} home care, and medical care if appropriate,
- 2.) keep ~~dog~~ ^{animal} out of the shelter,
- 3.) work with residents who are concerned or refuse to turn ~~dog~~ ^{animal} in to the shelter for fear the ~~dog~~ ^{animal} will not be claimed or placed,
- 4.) expand the Department's foster program and increases community involvement in helping find the ~~dog's~~ ^{animal's} owner, and meanwhile, allowing the ~~dog~~ ^{animal} to be held in a less stressful environment where the ~~dog~~ ^{animal} can be walked, etc.

FISCAL IMPACT:

There is no fiscal impact.

Approved:

Brenda F. Barnette

Brenda Barnette, General Manager

BOARD ACTION:

_____ Passed

_____ Passed with noted modifications

_____ Tabled

Disapproved _____

Continued _____

New Date __