OFFICE OF THE CITY MANAGER LITTLE ROCK, ARKANSAS

BOARD OF DIRECTORS COMMUNICATION OCTOBER 17, 2017 AGENDA

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Subject:	Action Required:	Approved By:
An ordinance to address animals left in automobiles in hot weather; to exempt lifestock from the definition of Animals	√ Ordinance Resolution Approval Information Report	
Submitted By:		
Housing & Neighborhood Programs Department		Bruce T. Moore City Manager
SYNOPSIS	A review was conducted regarding the cruelty to animal provisions in the Code of Ordinances. This ordinance expressly grants the authority to enter a car in which an animal is in heat distress.	
FISCAL IMPACT	None.	
RECOMMENDATION	Approval of the ordinance.	
BACKGROUND	Staff was asked for an ordinance which made it clear that the City could enter an automobile to extract an animal in dis-tress due to heat. While the §6-5(a)(4) prohibits keeping an animal "under circumstances exposing the animal to injury extreme temperatures, dehydration or	

Staff was asked for an ordinance which made it clear that the City could enter an automobile to extract an animal in dis-tress due to heat. While the §6-5(a)(4) prohibits keeping an animal "under circumstances exposing the animal to injury...extreme temperatures...dehydration or death", it was not clear that this included keeping a dog in a vehicle. Further, it was not clear that this ordinance would justify a warrantless entry into a vehicle to rescue such an animal.

Because of concerns that certain livestock, or hunting animals, would be included within this ordinance, changes have been made, and the concerns regarding cold weather have been deleted. In addition, Livestock has been excluded from the definition of Animal. Application of these provisions to animals in the back of an open truck have also been excluded. Finally, the ordinance has definitions of symptoms of heat distress that are recognizable to Animal Services professionals.

BACKGROUND CONTINUED

The ordinance also grants express authority to enter a vehicle to rescue an endangered animal. The animal will remain with-in the custody of Animal Services until the City is certain that the animal is no longer in danger.

The matter was discussed by the Animal Services Advisory Board and recommendations were made. It was also discussed by the Board of Directors at the September 5, 2017, regular meeting, and as a result of these discussions, and further internal meetings, additional modifications have been made.