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**Title:** A Local Law to amend the administrative code of the city of New York, in relation to monthly reports on animal shelters that are in contract with the city

**Sponsors:** Keith Powers, Robert F. Holden, Althea V. Stevens, Gale A. Brewer, Shaun Abreu, Erik D. Bottcher, Lynn C. Schulman

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**Attachments:** 1. Summary of Int. No. 183, 2. Int. No. 183, 3. April 14, 2022 - Stated Meeting Agenda, 4. Hearing Transcript - Stated Meeting 4-14-22, 5. Minutes of the Stated Meeting - April 14, 2022

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Int. No. 183

By Council Members Powers, Holden, Stevens, Brewer, Abreu, Bottcher and Schulman

A Local Law to amend the administrative code of the city of New York, in relation to monthly reports on animal shelters that are in contract with the city

Be it enacted by the Council as follows:

Section 1. Section 17-802 of the administrative code of the city of New York, as amended by local law number 7 for the year 2015, subdivision b as amended by local law number 53 for the year 2015, subdivision c-1 as added by local law number 222 for the year 2019, and subdivision k as added by local law number 200 for the year 2019, is amended to read as follows:

§ 17-802 Definitions. [For the purposes of] As used in this chapter, the following terms [shall be defined as follows] have the following meanings:

Adoptable animal. The term “adoptable animal” means any companion animal.

[a. "Adoption"] Adoption. The term “adoption” means the delivery of a dog or cat deemed

appropriate and suitable by an animal shelter to an individual at least eighteen years of age who has been approved to own, care and provide for the animal by the animal shelter.

[b. "Animal rescue group"] Animal rescue group. The term “animal rescue group” means a duly incorporated not-for-profit organization that accepts homeless, lost, stray, abandoned, seized, surrendered or unwanted animals from an animal shelter or other place and attempts to find homes for, and promote adoption of, such animals by the general public.

[c. "Animal shelter"] Animal shelter. The term “animal shelter” means a not-for-profit facility holding a permit in accordance with § 161.09 of the New York city health code where homeless, lost, stray, abandoned, seized, surrendered or unwanted animals are received, harbored, maintained and made available for adoption to the general public, redemption by their owners or other lawful disposition, and which is owned, operated, or maintained by a duly incorporated humane society, animal welfare society, society for the prevention of cruelty to animals, or other organization devoted to the welfare, protection or humane treatment of animals.

[c-1. “Companion animal”] Companion animal. The term “companion animal” means any dog or cat, and also means any other domesticated animal normally maintained in or near the household of the owner or person who cares for such other domesticated animal. “Companion animal” does not include a farm animal as defined in section 350 of the agriculture and markets law or a wild animal as defined in section 161.01 of the New York city health code.

[d. "Consumer"] Consumer. The term “consumer” means any individual purchasing an animal from a pet shop. A pet shop [shall not be considered] is not a consumer.

[e. "Feral cat"] Feral cat. The term “feral cat” means an animal of the species felis catus who has no owner, is unsocialized to humans and has a temperament of extreme fear of and resistance to contact with humans.

Foster care. The term “foster care” means a temporary placement for an animal too young to be adopted

or in need of specialized care prior to adoption.

[f. "Full-service shelter"] Full-service shelter. The term "full-service shelter" means a person required to have a permit issued pursuant to subdivision (b) of section 161.09 of the New York city health code that houses lost, stray or homeless animals and:

[(1)] 1. accepts dogs and cats twelve hours per day, seven days per week;

[(2)] 2. has an adoption program available seven days per week; and

[(3)] 3. provides sterilization services for dogs and cats and any other veterinary services deemed necessary by a licensed veterinarian at such shelter or at a veterinary facility.

Healthy animal. The term "healthy animal" means an animal that does not require medical, behavioral, or foster care to be ready for adoption.

[g. "Person"] Person. The term "person" means any individual, corporation, partnership, association, municipality, or other legal entity.

[h. "Pet shop"] Pet shop. The term "pet shop" has the same meaning as such term is defined in section 17-371 [of this title].

[i. "Sterilization"] Sterilization. The term "sterilization" means rendering a dog or cat that is at least eight weeks of age and that weighs at least two pounds unable to reproduce, by surgically altering such animal's reproductive organs as set forth in the rules of the department or by non-surgical methods or technologies approved by the United States food and drug administration or the United States department of agriculture and acceptable to the department. Such definition [shall include] includes the spaying of a female dog or cat or the neutering of a male dog or cat.

[j. "Trap-neuter-return"] Trap-neuter-return. The term "trap-neuter-return" means a program to trap, vaccinate for rabies, sterilize and identify feral cats and return them to the locations where they were found.

[k. "Adoptable animal" means any companion animal subject to adoption as defined in subdivision a of this section.]

Treatable-manageable animal. The term “treatable-manageable animal” means an animal that is not likely to become healthy but could have a good quality of life if provided with treatment for the condition comparable with that typically provided by a reasonable owner or guardian, provided the animal does not pose a risk to the health or safety of other animals or people.

Treatable-rehabilitatable animal. The term “treatable-rehabilitatable animal” means an animal that is likely to become healthy if provided with treatment for the condition compatible with that typically provided by a reasonable owner or guardian.

Unhealthy-untreatable animal. The term “unhealthy-untreatable animal” means an animal that either has a behavioral or temperamental characteristic that poses a health or safety risk or otherwise makes the animal unsuitable for placement as a pet, or is suffering from a disease, injury, or congenital condition that adversely affects the animal’s health and will not become healthy or treatable even with a level of care typically provided by a reasonable owner or guardian.

§ 2. Section 17-805 of the administrative code of the city of New York, as amended by local law number 59 for the year 2011, is amended to read as follows:

§ 17-805 Reporting requirements. a. The department shall provide the mayor and the city council with a report by February [twenty-eight] 28 of each year [which shall set] setting forth information regarding the management and operation of all full-service shelters performing services pursuant to a contract with the city of New York, including but not limited to:

[a.] 1. The following information with respect to the previous calendar year:

[(1)] (a). [the]The total number of animals accepted by each full-service shelter;

[(2)] (b). [the]The total number of animals that were sterilized at each full-service shelter;

[(3)] (c). [the]The total number of animals that were [humanely] euthanized at each full-service shelter;

[(4)] (d). [the]The total number of healthy animals that were [humanely] euthanized at each full-

service shelter;

[(5)] (e). [the]The total number of animals that were adopted at each full-service shelter;

[(6)] (f). [the]The total number of animals at each full-service shelter that were returned to their owner; and

[(7)] (g). [the]The number of animals at each full-service shelter that were provided to other shelters for adoption.

[b.] 2. The following information for each month of the previous calendar year:

[(1)] (a). [the]The total number of animals, disaggregated by borough, picked up by field services during regular business hours and delivered to [(A)] (i) receiving facilities and [(B)] (ii) full-service shelters;

[(2)] (b). [the]The total number of animals, disaggregated by borough, picked up by field services during off hours and delivered to [(A)] (i) receiving facilities and [(B)] (ii) full-service shelters;

[(3)] (c). [the]The total number of animals taken in and transferred to a full-service shelter from each receiving facility; and

[(4)] (d). [the]The staffing levels at all full-service shelters and receiving facilities.

[c. The department shall report to the mayor and the council each month the total number of healthy animals that were humanely euthanized at each full-service shelter during the previous month.

d. No later than twenty-four months after the effective date of the local law that added this subdivision, the department shall provide to the mayor and the council a report that summarizes and describes trends in the reporting requirements provided annually in accordance with this section.]

b. The department shall issue a public report on a monthly basis, and post such report on its website, setting forth information for the immediately preceding month regarding the management and operation of all full-service shelters performing services pursuant to a contract with the city of New York, including but not limited to:

1. The total number of animals in the full-service shelter on the first day of the month;

2. The total number of animals in the full-service shelter on the last day of the month;
3. The total number of animals the full-service shelter received in the past month and how many received animals were stray, surrendered by their owners, returned by their owners, or seized;
4. The total number of animals in the full-service shelter that have been adopted and how many adopted animals were categorized as healthy, treatable-manageable, treatable-rehabilitatable, and unhealthy-untreatable;
5. The total number of animals in the full-service shelter that have been euthanized and how many euthanized animals were categorized as healthy, treatable-manageable, treatable-rehabilitatable, and unhealthy-untreatable;
6. The total number of animals received in the full-service shelter that have undergone sterilization;
7. The length of time each animal was in the full-service shelter before being euthanized;
8. The total number of animals received by the full-service shelter that were transferred to another shelter for adoption or foster care and how many transferred animals were categorized as healthy, treatable-manageable, treatable-rehabilitatable, and unhealthy-untreatable;
9. The total number of animals in the full-service shelter that were lost; and
10. The total number of animals in the full-service shelter that died for reasons other than euthanasia.

§ 3. Section 17-810 of the administrative code of the city of New York, as amended by local law number 59 for the year 2011, is amended to read as follows:

§ 17-810 Euthanizing animals; time frame for making such determination. In determining when a full-service shelter may euthanize a lost, stray or homeless animal held by it, such shelter shall exclude from the calculation of the number of hours that such shelter is required by law to hold such animal before euthanizing such animal those hours when such shelter is not required to accept dogs and cats pursuant to [paragraph one of subdivision d of] section 17-802 [of this chapter]. Such calculation of the number of hours shall not take into consideration the full-service shelter required to accept dogs and cats twenty-four hours per day pursuant to subdivision a of section 17-803 [of this chapter].

§ 4. Subdivision b of section 17-1601 of the administrative code of the city of New York, as added by local law number 4 for the year 2014, is amended to read as follows:

b. “Animal shelter” shall mean any full service shelter, as defined in [subdivision d of] section 17-802 of this code, or other facility that makes dogs and cats available for adoption whether or not a fee for such adoption is charged.

§ 5. This local law takes effect 30 days after it becomes law.

Session 12

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LS #1342

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Session 11

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LS #7204