ANCHORAGE, ALASKA
AO No. 2019-91(S-1), As Amended

AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLE 17, ANIMALS, TO ADD REQUIREMENTS FOR ANIMAL RESCUE GROUPS AND DOG SHELTERS; TO REQUIRE A BOND PAYMENT FOR ANIMALS IN PROTECTIVE CUSTODY; AND TO ADDRESS OBSOLETE LANGUAGE AND OTHER RELATED MATTERS, BY AMENDING SECTIONS 17.05.010, 17.10.020, 17.10.030, 17.10.050, 17.10.080, 17.10.090, 17.15.010, 17.15.030, 17.15.050, 17.15.060, 17.15.070, 17.25.040, 17.30.020, 17.30.070, 17.30.080, 17.30.090, 17.40.020, 17.40.040, AND 17.70.010.

WHEREAS, Anchorage Municipal Code Title 17 (Animals) has been determined by the Administration and the Animal Control Advisory Board (ACAB) to need modifications in order to enhance rescue group, care and sanitation, and dog shelter standards; and remove obsolete wolf-hybrid references, require payment of all fines and fees for redeeming an animal in protective custody, and other administrative updates for clarification;

WHEREAS, animals held in protective custody can be held at Animal Care and Control for months pending the outcome of a trial with the cost of care ultimately going to collections and the custody of the animal relinquished. It is recommended [payment a bond] be required for the care of the animal that would be consistent with Alaska Statute 03.55.130;

WHEREAS, based on stakeholder comments and additional research conducted by the Anchorage Health Department and the ACAB, a proposal was developed and released for public input. A notification was posted on the municipal website, Facebook, and emails were sent to 50 partner agencies as well as the 144 multi-animal facility license holders with emails on file. Additionally, 9 commercial facilities without emails were sent a notification letter;

WHEREAS, the ACAB took public comment on the proposed ordinance at both its September 2018 and January 2019 meetings and adopted Board Resolution 2019-02 in unanimous support of this ordinance; now therefore,

THE ANCHORAGE ASSEMBLY ORDAINS:

Section 1. Anchorage Municipal Code section 17.05.010, Definitions, generally, is hereby amended by enacting the following definitions (other definitions in the section are not affected and therefore not set out):
17.05.010 – Definitions, generally.

The following words, terms and phrases and their other verb forms and tenses, when used in this title, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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**Animal Rescue** means any person or organization who accepts animals for the purpose of finding a permanent adoptive home for the animals and does not maintain a central facility for keeping animals, but rather uses a system of fostering in private homes, or boarding or keeping in licensed commercial facilities.

**Animal Rescue Shelter** means a facility used to house four or more stray, homeless, abandoned or unwanted animals and that is owned, operated or maintained by an animal welfare organization, organization for the prevention of cruelty to animals, or other nonprofit organization, or by a person or persons devoted to the welfare, protection or humane treatment of animals, for the purpose of finding a permanent adoptive home.

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**Fine** means a civil penalty or civil fine imposed as restitution for wrongdoing.

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**Primary enclosure** means any structure used to immediately restrict an animal or animals to a limited amount of space, such as a room, pen, cage, kennel, compartment, or hutch. For tethered animals, the term includes the shelter and the area within reach of the tether.

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**Shelter** means a structure that is accessible to an animal and that is suitable for the species, age, condition, breed, and size of the animal to protect the animal from exposure to the elements.

1. For dogs, shelter shall be:
   a. Inside the home of the dog’s owner or custodian; or
   b. A sound, weatherproof structure with a solid floor raised above the ground that, at a minimum:
      i. has sufficient ventilation;
      ii. contains clean and dry bedding that does not retain moisture, such as straw or wood chips, of a sufficient amount to protect the dog from inclement weather;
      iii. is small enough to allow a dog to warm the interior of the structure and maintain body heat, and large enough to allow the dog adequate freedom of movement to make normal postural adjustments, including the ability to turn around and lie down:
iv. is maintained in a sanitary condition, free of the buildup of excretions or other waste material; [and]
v. has shade by natural or artificial means to protect the dog from direct sunlight; [;]
vi. is free of surrounding debris or other materials that could endanger the dog;
vii. is designed for the purpose of sheltering if used for long term confinement; and
viii. is constructed of materials that provide protection from the elements.

[2. Examples of inadequate shelter for a dog include, but are not limited to:
 a. Underneath steps, decks, stoops, buildings, mobile homes, sheds, machinery, or motor vehicles;
 b. Metal barrels;
 c. Cardboard boxes;
 d. Animal carriers or crates;
 e. Shelters surrounded by debris that may endanger the dog;
 f. Cloth or other material that does not provide sufficient protection from the elements; or
 g. Long term confinement (over 30 days) in an enclosed shelter not specifically designed for that purpose.]

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(AO No. 2001-158(S-4), § 1, 1-1-03, AO No. 2004-86, § 3, 5-18-04; AO No. 2009-88, § 1, 9-10-09; AO No. 2013-142, § 1, 12-17-13; AO No. 2016-55, § 2, 6-7-16; AO No. 2017-87, § 1, 6-13-17)

Section 2. Anchorage Municipal Code section 17.10.020, Control and confinement of animals, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

17.10.020 – Control and confinement of animals.

A. Except as otherwise required or permitted by this title, an owner of an unclassified animal [, INCLUDING A WOLF HYBRID,] shall restrain it at all times. An owner of a classified animal shall confine and control such animal as required by Chapter 17.40.

1. A dog left outdoors shall not be restrained by a choke-type collar, pinch-type collar, any collar that is too small for the dog, or by any rope, chain, or cord directly attached to the animal’s neck.

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(AO No. 2001-158(S-4), § 1, 1-1-03, AO No. 2004-86, § 3, 5-18-04)
Section 3. Anchorage Municipal Code section 17.10.030, Care and sanitation, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

17.10.030 – Care and sanitation.

A. An animal owner or custodian shall provide an animal with adequate fresh food, water, shelter, [FROM INCLEMENT WEATHER, AND] proper veterinary care and humane care, as required.

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(AO No. 2001-158(S-4), § 1, 1-1-03, AO No. 2004-86, § 3, 5-18-04)

Section 4. Anchorage Municipal Code section 17.10.050, Standards for operating animal facilities, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

17.10.050 – Standards for operating animal facilities.

A. An owner or operator of a commercial facility, multi-animal facility, Animal Rescue, Animal Rescue Shelter, mushing facility, or any other facility associated with keeping of domestic animals for which a license is required, as specified under chapter 17.15 and any other municipal regulations, shall:

1. Provide adequate and appropriate shelter to ensure animal health, safety, and welfare. Each animal shall be provided with adequate floor space to allow it, according to its species, breed, and size to stand and turn freely and exercise normal postural movements, as well as allow adequate room for bedding and food and water bowls.

2. Maintain the facility in a sanitary condition. Primary enclosures shall be cleaned daily so the animal avoids contact with excrement.

3. Provide timely veterinary care as necessary, so the animal does not suffer due to lack of or delay of veterinary care.

4. Provide for the humane [ADEQUATE AND APPROPRIATE] care and feeding of animals and ensure the availability of adequate food and fresh water.

5. Ensure no animals prohibited by federal, state and municipal laws are kept.

6. Provide lighting, whether natural or artificial or a combination of both, at a sufficient level for inspection of the animals, routine cleaning, and proper animal care.
7[6]. Ensure all animals are confined or in control on any premises where the animals are kept.

8[7]. Keep only the number of animals in the facility or on premises which allows for appropriate space, safe keeping, humane care and sanitary environment consistent with the animal's breed, size, age, and species for all animals kept.

9[8]. Comply with the provisions of this title, municipal regulations, and the terms, conditions and limitations of any license issued under chapter 17.15.

10[9]. Comply with the provisions of Title 21 (Land Use Planning) of this Code.

B. An owner or operator of an Animal Rescue or Animal Rescue Shelter shall maintain:

1. Medical records for each animal under its care. All medical records shall be made available to the new owner.

2. A current listing of foster homes within their network to be made available for review upon request by Anchorage Animal Care and Control and kept confidential.

3. Except for the rescue organization facility address on the license application, all other foster homes in the network shall obtain a multi-animal facility license as required per 17.15.060A.2 [not exceed animals that are more than four months of age; including their own animals, without a multi-animal license].

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(AO No. 2001-158(S-4), § 1, 1-1-03, AO No. 2017-87, § 3, 6-13-17)

Section 5. Anchorage Municipal Code section 17.10.080, Temporary quartering of dogs used in competition, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

17.10.080 – Temporary quartering of dogs used in competition.

A. In order to quarter four or more dogs for a period of between 14 to 31 days for use in competition, both the dog owner or custodian and owner of the property upon which the dogs are quartered shall be responsible to:

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Section 6. Anchorage Municipal Code section 17.10.090, Off-lease dog park spaces, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

17.10.090 – Off-lease dog park spaces.

A. Not withstanding any other provision of this Code, legally licensed dogs with current rabies vaccinations may be allowed, unleashed, in areas recommended by the animal control advisory board with concurrence of the parks and recreation commission and the mayor, subject to approval by the assembly. Off-lease dog parks spaces are listed on the municipal website. [SUCH AREAS SHALL INCLUDE BUT ARE NOT LIMITED TO DESIGNATED AREAS WITHIN THE FOLLOWING LOCATIONS:
UNIVERSITY LAKE PARK;
FAR NORTH BICENTENNIAL PARK (NORTH GASOLINE TRAIL);
RUSSIAN JACK PARK;
CONNORS BOG;
SOUTH ANCHORAGE SPORTS PARK;
ARCTIC BENSON PARK;
VALLEY OF THE MOON PARK.]

[SEE ATTACHED MAP OF OFF-LEASE DOG PARK SPACES (FOLLOWING THIS SECTION).]

[SEE ATTACHED MAP OF OFF-LEASE DOG PARK SPACES (FOLLOWING THIS SECTION).]

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[OFF-LEASE DOG PARK SPACES MAP]

(AO No. 2003-108(S), § 1, 7-22-03; AO No. 2003-127, § 1, 9-30-03; AO No. 2004-86, § 4, 5-18-04; AO No. 2015-74, § 1, 7-14-15)

Section 7. Anchorage Municipal Code section 17.15.010, Municipality of Anchorage dog license required, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

17.15.010 – Municipality of Anchorage dog license required.

A. Any person who owns or has custody of a dog [OR WOLF HYBRID] over the age of four months shall obtain a Municipality of Anchorage
dog license for the dog [OR WOLF HYBRID] except a dog brought into the municipality for less than 30 days.

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(AO No. 2001-158(S-4), § 1, 1-1-03)

Section 8. Anchorage Municipal Code section 17.15.030, Municipality of Anchorage dog license procedure, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

17.15.030 – Municipality of Anchorage dog license procedure.

A. Application for a dog license shall be to the chief animal control officer or an authorized vendor. The application shall include:

1. The name and residence address of the owner of the dog [OR WOLF HYBRID];

2. The name, breed, color, age, sex, and reproductive status of the dog [OR WOLF HYBRID];

3. Proof that the dog [OR WOLF HYBRID] has a current rabies vaccination and tag; and

4. The license fee required by regulation.

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(AO No. 2001-158(S-4), § 1, 1-1-03)

Section 9. Anchorage Municipal Code section 17.15.050, Municipal dog license tags and receipts, is hereby amended to read as follows:

17.15.050 – Municipal dog license tags and receipts.

A. A dog [OR WOLF-HYBRID] shall bear a current Municipality of Anchorage dog license tag securely fastened to its collar, chain collar, or harness at all times except:

1. Any licensed dog [OR WOLF HYBRID] while confined on the owner's or custodian's premises; or

2. While in competition, in training or while hunting.

B. The animal care and control center or authorized vendor shall issue the dog [OR WOLF HYBRID] owner a numbered receipt and a tag stamped with a number, authorized by the chief animal control officer, for each license purchased under section 17.15.010.
C. No person shall use a municipal dog license tag, microchip, or receipt for a dog [OR WOLF HYBRID] other than the one for which it was issued.

(AO No. 2001-158(S-4), § 1, 1-1-03, AO No. 2004-86, § 5, 5-18-04)

Section 10. Anchorage Municipal Code section 17.15.060, Special purpose license, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

17.15.060 – Special purpose license.

A. The following special purpose licenses shall be required for persons or facilities keeping animals in the municipality:

1. Animal litter license. A person who sells or reconveys not more than three litters of dogs and/or cats in a calendar year shall be required to obtain an animal litter license:

   a. Each litter shall be registered with the animal care and control center within seven weeks of birth for a fee set in accordance with chapter 17.70. Advertisements of any kind must show the litter license number in the ad. Any person who sells more than three litters in a calendar year must apply for a commercial facility license.

   [B. THIS SECTION DOES NOT APPLY TO RESCUE GROUPS APPROVED BY AND REGISTERED WITH THE ANIMAL CARE AND CONTROL CENTER.]

2. Multi-animal facility license. A person or facility, including a dwelling unit, residence, or business premise, that owns, possesses or is the custodian of four or more dogs, four or more cats, four or more rabbits, four or more ferrets, four or more horses or any combination of seven or more of the above animals, shall be required to obtain a multi-animal facility license:

   a. This section shall not apply to a person who has a single litter of dogs and/or cats that are not for sale and under the age of four months.

   b. This license shall be valid for two years from date of issuance.

3. Commercial facility license. A person or facility that, for any period of time, boards or grooms dogs, cats, rabbits, ferrets, and/or horses for fees or services, or any person or facility that reconveys four or more dogs or cats in a calendar year, or any
person or facility that breeds more than three litters of dogs and/or cats in a calendar year shall be required to obtain a commercial facility license.

a. This license shall be valid for one year from date of issuance.

b. A pet store is a commercial facility for purposes of this section.

c. A veterinary clinic is not a commercial facility for purposes of this section.

[D. THIS SECTION DOES NOT APPLY TO RESCUE GROUPS APPROVED BY AND REGISTERED WITH THE ANIMAL CARE AND CONTROL CENTER.]

4. **Mushing facility license** means a person or facility, including a dwelling unit, residence, or business premise that owns, houses, possesses, or acts as custodian of four or more dogs over the age of four months, that have been trained to be harnessed and pull sleds, carts, vehicles with humans and/or cargo for the sport of mushing whether for recreation, competition or for remuneration shall be required to obtain a mushing facility license.

a. This license shall be valid for two years from date of issuance.

b. This license shall be valid for any dogs, cats, rabbits, ferrets, or horses owned by the same person or facility of the mushing dogs on the same premises.

[C. THIS SECTION DOES NOT APPLY TO RESCUE GROUPS APPROVED BY AND REGISTERED WITH THE ANIMAL CARE AND CONTROL CENTER.]

5. **Animal Rescue License:** Animal Rescues and Animal Rescue Shelters shall be required to obtain an animal rescue license.

a. This license shall be valid for one year from date of issuance.

b. A veterinary clinic is not a rescue organization for purposes of this section.

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(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2017-87, § 4, 6-13-17)
Section 11. Anchorage Municipal Code section 17.15.070, Special purpose licensing procedures for multi-animal, mushing and commercial facility licenses, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

17.15.070 – Special purpose licensing procedures for multi-animal, mushing, [AND] commercial facility, and animal rescue licenses.

A. Application for a special purpose license is made to the animal care and control center. The application shall include:

2. The name, address, and telephone number of the applicant, and the physical address and telephone number where animals are to be kept (A current listing of foster homes shall be made available for review upon request and kept confidential);

B. Renewal applications shall be made at least thirty days prior to the expiration of the current license and may rely upon facility drawings [MATERIALS] submitted with a prior application provided it portrays the current condition and layout of the facility or location [EXCEPT CURRENT RABIES VACCINATION BY LAW; AND UPON CERTIFICATION]. Applicants must certify that there have been no significant changes in the numbers, types and species of animals since the prior application. Upon request, applicants must provide current rabies vaccinations proof for each animal over the age of four months where the species is required to have a rabies vaccination by law.

D. Upon receipt of a complete and timely application for renewal of a special purpose license, such license shall be issued within 30 days unless the applicant has received notice the special purpose license has been revoked or there has been a structural change to the property. No new or previously revoked special purpose [MULTI-ANIMAL, MUSHING, OR COMMERCIAL FACILITY] license shall be issued until an inspection of the premises where the animals will be kept is made.

(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2007-79, § 2, 6-26-07; AO No. 2017-87, § 5, 6-13-17)
**Section 12.** Anchorage Municipal Code section 17.25.040, Redemption of impounded animal, is hereby amended to read as follows *(the remainder of the section is not affected and therefore not set out)*:

### 17.25.040 – Redemption of impounded animal.

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C. An animal that has been classified at level five behavior [OR A WOLF HYBRID THAT HAS BEEN CLASSIFIED AT LEVEL 3 OR LEVEL 4.A.] is not redeemable.

D. Within seven days from the date of impoundment, any animal classified level 1, 2, 3 or 4 under Section 17.40.020, [EXCEPT A WOLF HYBRID THAT HAS BEEN CLASSIFIED AT LEVEL 3 OR LEVEL 4.A.,] shall be released to the owner upon payment of all fees required and upon verification of compliance with Sections 17.30.080 and 17.40.040, including any classification requirements set by the chief animal control officer. Upon failure of the owner to comply with Section 17.40.040, the chief animal control officer may impound or re-impound the animal and require the owner to forfeit the animal to the municipality. An animal shall not be allowed to reside with or be redeemed by anyone who has been convicted, nor to a person residing in the same household with a person convicted, of a crime under Title 8.55 or inhumane treatment of an animal in another jurisdiction.

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(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2009-88, § 4, 9-10-09)

**Section 13.** Anchorage Municipal Code section 17.25.075, Impoundment at business facility or owner’s home is hereby amended to read as follows *(the remainder of the section is not affected and therefore not set out)*:

### 17.25.075 - Impoundment at business facility or owner’s home.

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B. The chief animal control officer or designee may permit an impounded animal which is the subject of a hearing or appeal to be held in the owner's home so long as the owner and the chief animal control officer or designee agree in writing that the owner shall abide by all the conditions as stated in subsections A.1. through A.7. above.

1. If an animal classified as level five is permitted to be impounded at home pending an appeal, the owner must comply with all restrictions of a level three and four animal per subsection 17.40.040B.3. and restrictions of a level five per subsection 17.040.040B.4.b.
[Section 14. Anchorage Municipal Code section 17.25.090, Protective custody is hereby amended to read as follows:

17.25.090 – Protective custody.

A. Probable cause. An officer shall take an animal not subject to impoundment into protective custody when there is probable cause that protective custody is necessary to protect and preserve the animal’s health, [OR] safety, [AND] humane care, or [AND] treatment.

B. Cruelty charges and cost of care. If an animal has been placed in protective custody due to charges of cruelty against the owner, the animal shall not be released to its owner or eligible for redemption until a final determination is made pursuant to chapter 8.55 (Cruelty to Animals).

1. Cost of care. An owner charged under chapter 8.55 shall be required to pay for their animal’s cost of care every 30 days so long as the animal remains in protective custody and the owner does not release entitlement to the animal.

   a. Cost of care shall be billed to the owner every 30 days. If the owner fails to pay for the animal’s care within 15 days, the animal shall be forfeited to the municipality. The owner shall have notice provided within two days of forfeiture and instructions on how to request a hearing pursuant to subsection 3.

   b. Payment of cost of care is not dependent on the outcome of chapter 8.55 charges.

2. Notice.

   a. Animal care and control shall provide written notice to an owner charged under chapter 8.55 within ten days of the animal being taken into custody. Notice shall include that the animal is in protective custody; that the animal shall not be released to its owner or eligible for redemption until a final determination is made pursuant to chapter 8.55; that the owner is responsible for their animal’s cost of care no matter the outcome of chapter 8.55 charges; that nonpayment shall result in the animal’s forfeiture to the Municipality; and the owner’s right to a hearing in the event of forfeiture.
b. Animal care and control shall provide written notice to an owner whose animal is subject to forfeiture within two business days of the animal being forfeited. Notice shall include the reason for forfeiture and the owner’s right to a hearing.

a. Notice shall be delivered in person, posted at the owner’s residence, or mailed. If the animal’s owner is unlocatable, notice may be given by posting on the municipality’s website for ten days.

3. Hearing. A hearing may be requested in writing within seven business days of the forfeiture notice being issued and shall be held before an administrative hearing officer within three business days after the request is received. The hearing may be postponed upon agreement of the parties with the hearing officer’s determination for just cause shown.

a. The hearing shall be conducted in accordance with the procedures as laid out in sections 3.60.045, and 3.60.055 through 3.60.070.

b. An animal subject to appeal shall stay in protective custody pending a final decision in any administrative proceeding.

c. Findings by the administrative hearing officer shall not collaterally estop the issue of probable cause or any other factual or legal issue from being decided by the court.

[C. An owner whose animal is in protective custody and subject to chapter 8.55 charges shall be required to pay animal care costs, billed every 30 days. [post a 30 day boarding bond with Animal Care and Control.]

1. Costs shall be the actual cost of providing care to the animal including but not limited to boarding fees and veterinary services in accordance with section 17.70.010. Payment of animal care is not dependent on the outcome of chapter 8.55 charges.

2. The owner shall be billed for animal care costs every 30 days. The owner shall pay animal care costs within 15 days of receiving the bill. If the owner fails to pay animal care costs within 15 days of receiving the bill, the animal shall be forfeited to the municipality.]
1. The chief animal control officer shall set the bond amount to be sufficient to provide for the animal’s care for a minimum of 30 days, including the day on which the animal was taken into custody. Payment of this bond is not dependent on the outcome of chapter 8.55 charges.

2. The chief animal control officer shall give notice to the owner of the bond amount due within two business days of the animal being placed in protective custody. The owner shall pay the bond amount within ten days of receiving notice. If the owner fails to pay the bond amount within ten days of receiving notice, the animal shall be forfeited to the municipality.

3. Ten days prior to a bond’s expiration, the chief animal control officer shall give notice to the owner that a new 30-day boarding bond is due and the amount due. The owner shall pay the new bond amount within ten days of receiving notice. If the owner fails to pay the new bond amount within ten days of receiving notice, the animal shall be forfeited to the municipality.

4. When a 30-day boarding bond has been posted pursuant to subsections 1.-3. above, the chief animal control officer shall draw from the bond the actual reasonable costs incurred in providing minimum care to the animal pursuant to AMC 17.70.010 from the date on which the animal was placed in custody to the date of final determination is made pursuant to chapter 8.55.

5. An owner subject to the bond requirement may obtain review of the bond amount required and forfeiture as provided in section 17.05.100.

[D] C. Redemption. The animal care and control center shall maintain an animal in protective custody which is subject to redemption until the animal is redeemed by its owner or for a minimum of five days, after which time the animal may be disposed of as an impounded animal except:

1. Where an animal was placed in protective custody because the owner or custodian is arrested and charged with a crime and is unable to redeem the animal in person, in which case the minimum period shall be ten days.

[E] D. Fees, fines, and costs. An animal that is in protective custody and which is subject to redemption may be redeemed by the owner or the owner’s designee upon demand and payment of any outstanding fees, fines, and costs [not covered by bond]. The owner shall not be
charged an impound fee [. BUT SHALL BE CHARGED BOARDING FEES AS SET BY REGULATION]. [Animal Care and Control shall refund to the owner any balance remaining in the bond at the date of redemption.]

[E] Review. A person who owns an animal taken into protective custody and disposed of as an impounded or forfeited animal may obtain a review of that disposition as provided in section 17.05.100.

(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2009-88, § 4, 9-10-09)

Section 15. Anchorage Municipal Code section 17.25.010[100]. Impoundment and animals subject to impoundment is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

17.25.010[100] – Impoundment and animals subject to impoundment.

A. An animal control officer shall check an animal subject to impoundment for identification. If the animal is wearing a current municipal dog license, the owner or custodian is known, and the animal poses no threat to another animal or the public health, welfare and safety, the officer may take reasonable measures to return the animal to its owner or custodian with the issuance of a notice to comply or NOV, provided there are no outstanding verifiable fees or fines due to the animal care and control center. The following animals are subject to impoundment:

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5. An animal required to be forfeited to the municipality pursuant to sub[S]ections 17.10.015A.3., 17.10.030D.3., 17.25.040D., [17.25.090B.1.,] [17.25.090C.2.,] or 17.40.040D.; or

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(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2009-88, § 4, 9-10-09)

Section 16. Anchorage Municipal Code section 17.30.020, Rabies immunization required, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

17.30.020 – Rabies immunization required.

It is unlawful to own or have custody of a dog, [WOLF HYBRID,] cat, ferret, or any other animal required by state law, over the age of four months, that does not have a current rabies vaccination administered in accordance with state law.

(AO No. 2001-158(S-4), § 1, 1-1-03)
**Section 17.** Anchorage Municipal Code section 17.40.020, Classifications and exceptions to classification of animals, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

17.40.020 – Classifications and exceptions to classification of animals.

A. **Classifications.** Subject to the authority of the chief animal control officer under subsection B. below, an animal may be classified based on one of the following levels:

- Level five behavior is established if any of the following occur:
  - An animal regardless of whether it is restrained, for a third time injures or kills a domestic animal.
  - An animal previously classified as a level three or four, or as a potentially dangerous animal under a prior enactment of this Code, commits a level three or four behavior described in subsection A.3. or A.4. above after the owner receives notice of the prior level three or four classification.

**Section 18.** Anchorage Municipal Code section 17.40.040, Regulation of classified animals, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

17.40.040 – Regulation of classified animals.

B. In addition to other requirements of this chapter, the owner of a classified animal shall comply with the following classification requirements:

- **Levels three and four.** Animals classified as level three or four shall at all times be confined in a locked secure enclosure or under control by a substantial leash or chain not to exceed six feet in length, and under the control of a competent adult who is familiar with and in control of the animal. The requirement of control is not satisfied by an electronic collar or electronic fence. Animals classified as level three or four shall also be muzzled when not on the owner’s property. [WOLF HYBRIDS CLASSIFIED AS LEVEL 3 OR 4.A SHALL BE EUTHANIZED.] It is a violation of this subsection to breed, sell, exchange or
abandon an animal classified as level three or four, except as specifically provided in this chapter.

(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2009-88, § 7, 9-10-09; AO No. 2015-55, § 4, 5-26-15)

Section 19. Anchorage Municipal Code section 17.40.085, Removal, reduction or modification of classification, is hereby amended to read as follows (the remainder of the section is not affected and therefore not set out):

17.40.085 – Removal, reduction or modification of classification.

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B. Restrictions for level three and level four animals [, EXCEPT WOLF HYBRIDS,] may be reduced, modified or removed, except the requirement for the use of a secure enclosure.

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(AO No. 2001-158(S-4), § 1, 1-1-03; AO No. 2009-88, § 8, 9-10-09)

Section 20. Anchorage Municipal Code section 17.60.040, Vaccination of wolf hybrids, is hereby repealed as follows:

17.60.040 – Vaccination of wolf hybrids. (Repealed)

[UNTIL AN APPROVED USDA RABIES VACCINATION IS AVAILABLE FOR WOLF HYBRIDS, ANY WOLF HYBRID THAT BITES A HUMAN SHALL BE IMMEDIATELY EUTHANIZED BY THE ANIMAL CARE AND CONTROL CENTER AND ITS HEAD SUBMITTED FOR RABIES TESTING.]

(AO No. 2001-158(S-4), § 1, 1-1-03)

Section 21. Anchorage Municipal Code section 17.70.010, Animal control fee schedule, is hereby amended to read as follows (the remainder of the table is not affected and therefore not set out):

17.70.010 - Animal control fee schedule.

<table>
<thead>
<tr>
<th>Type</th>
<th>Fee</th>
<th>Refund</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Special purpose license fees:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*** *** ***</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Animal Rescue License:</td>
<td>$150.00 annually</td>
<td>None</td>
</tr>
<tr>
<td>*** *** ***</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
4. Redeemed Animals – Impound Fees:

*** *** ***

5. Adoption:

*** *** ***

e. For all animals, there shall [ALSO] be [AND] an adoption fee, in addition to the fees described in subsections A.5.a-d. above. [I.] The separate adoption fee shall be in accordance with a fee schedule established by the chief animal control officer, and shall not exceed $150.00.

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Section 22. This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 3rd day of December, 2019.

ATTEST:

Chair

Municipal Clerk
From: MAYOR

Subject: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE TITLE 17, ANIMALS, TO ADD REQUIREMENTS FOR ANIMAL RESCUE GROUPS AND DOG SHELTERS; TO REQUIRE A BOND PAYMENT FOR ANIMALS IN PROTECTIVE CUSTODY; AND TO ADDRESS OBSOLETE LANGUAGE AND OTHER RELATED MATTERS, BY AMENDING SECTIONS 17.05.010, 17.10.020, 17.10.030, 17.10.050, 17.10.080, 17.10.090, 17.15.010, 17.15.030, 17.15.050, 17.15.060, 17.15.070, 17.25.040, 17.30.020, 17.30.070, 17.30.080, 17.30.090, 17.40.020, 17.40.040, AND 17.70.010

AO 2019-91 was introduced at the Assembly meeting on July 9, 2019. Members of the Assembly, Animal Control Advisory Board, Municipal Attorney’s Office, and Anchorage Health Department held two work sessions to address concerns raised at the Assembly Health Policy Committee meeting on July 24, 2019. AO 2019-91(S) was introduced at the Assembly meeting on September 10, 2019, where citizens from local dog organizations expressed concerns to the Assembly. Subsequently, the Anchorage Health Department met with representatives from the local dog groups to address their questions and concerns. At the Assembly meeting on September 24, 2019, citizens both in and outside of the Municipality representing animal rescue groups testified on the proposed ordinance. To address the additional testimony, the Animal Control Advisory Board took additional public input from the animal rescue groups on September 26, 2019. Members of the Animal Control Advisory Board, Municipal Attorney’s Office, Animal Care and Control Contractor and Anchorage Health Department met at the Animal Control Advisory Board Title 17 Committee meeting. Based on the input received, AO 2019-91(S-1) is submitted with the following changes;

Section 4
AMC 17.10.050 – Standards for operating animal facilities. Modified the requirement for animal rescues and animal rescue facilities to maintain a current list of foster homes so that they will only be required to provide the list of foster homes upon request. Removed language on the number of animals allowed in a home or facility before a multi-animal license is required and included a reference to 17.15.060.A.2 that addresses the multi-animal facility license requirements in detail.

Section 11
AMC 17.15.070 – Special purpose licensing procedures for multi-animal, mushing, commercial facility, and animal rescue license. Modified the requirement for animal rescues and animal rescue facilities to provide a current list of foster homes with an application for a special purpose license so that they will only be required to provide the list of foster homes upon request.
Section 14
AMC 17.25.090 – Protective custody. This section was rewritten to require probable cause to impound in protective custody cases. Additionally, it is revised to clarify the cost of care and associated notice requirements as well as timeframes and procedures for administrative hearings.

There is no financial impact expected to the public or private sector, therefore no Summary of Economic Effects is attached.

THE ADMINISTRATION RECOMMENDS APPROVAL.

Prepared by: Michael P. Tierney, Administrative Manager, Anchorage Health Department
Approved by: Natasha M. Pineda, Director, Anchorage Health Department
Concur: Rebecca A. Windt Pearson, Municipal Attorney
Concur: William D. Falsey, Municipal Manager
Respectfully submitted: Ethan A. Berkowitz, Mayor