

SUBJECT: AN ORDINANCE OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY AMENDING MSB 24.15.080, EUTHANASIA, IN ORDER TO BRING BOROUGH CODE INTO ALIGNMENT WITH STATE LAW.

AGENDA OF: November 17, 2020

ASSEMBLY ACTION:

Postpone Indefinitely. KBT 12.15.20

MANAGER RECOMMENDATION: Introduce and set for public hearing.

APPROVED BY GEORGE HAYS, ACTING BOROUGH MANAGER:

Route To:	Department/Individual	Initials	Remarks
	Originator: Tiffany Richards	<i>SR</i>	
	Animal Care & Regulation Director	<i>@</i>	
	Finance Director	Cheyenne Heindel	<small>Digitally signed by Cheyenne Heindel Date: 2020.11.02 16:18:28 -0900</small>
	Borough Attorney	<i>SM</i>	<i>11/3/20</i>
	Borough Clerk	<i>BSA for SRM</i>	<i>11-9-20</i>

ATTACHMENT(S): Fiscal Note: YES ☐ NO ☒ X
Ordinance Serial No. 20-102 (3pp)
MSB 24.15.080 (1pp)

SUMMARY STATEMENT: This ordinance is intended to revise the MSB Euthanasia Code to align with the State of Alaska Euthanasia Program regulations. Currently the MSB Code states that a licensed veterinarian must be consulted prior to any euthanasia. State statutes allow for a peace officer who is unable to communicate with a licensed veterinarian to humanely euthanize an animal. While the borough does not have peace officers on staff, we do have animal control officers who work with the animals regularly and are contacted by peace officers when there are cases, or traffic accidents, involving animals. We also have shelter staff who work evenings and weekends and provide care for all animals in the shelter at times when a veterinarian is not available. This change in code will allow our animal care officers, or animal shelter staff who are certified euthanasia technicians, to euthanize animals without consulting with a veterinarian. While a consult with the veterinarian is desired, there are times when a

veterinarian is not available and the animal is suffering.

RECOMMENDATION OF ADMINISTRATION: Administration recommends approval of this legislation.

24.15.080 EUTHANASIA.

(A) The animal care manager may authorize euthanasia in the following circumstances:

- (1) an animal in borough custody, that is not the subject of a pending hearing or court decision, which is not adoptable under MSB 24.15.050(D);
- (2) an animal whose health or physical condition requires euthanasia for humane reasons. The euthanization decision shall be made by a licensed veterinarian or an animal care and regulation officer in consultation with a licensed veterinarian. Prior to euthanizing an animal, the borough shall make reasonable efforts to contact the owner or custodian. Notwithstanding, in an emergency situation, where the condition of the animal requires immediate euthanization, the borough may euthanize the animal for humane reasons prior to notification of the owner or custodian; or
- (3) an adoptable animal, remaining unadopted following expiration of the minimum term of availability specified in MSB 24.15.010(A).

(B) An animal which is not eligible for redemption or adoption may be euthanized after the right to appeal expires without being invoked or after all appeals under this title are completed.

(C) Euthanasia of an animal shall be accomplished humanely by a licensed veterinarian or trained euthanasia technician.

(D) The borough shelter shall maintain a list available for review by the general public of animals euthanized within the past 30 days, including a photograph or a description of the animal and the reason for euthanasia.

(Ord. 15-002, § 2 (part), 2015: Ord. 04-182(AM), § 7, 2004)

OK 20-102
Im 20-217