ORDINANCE NO.

AN ORDINANCE AMENDING CITY CODE CHAPTER 3-1 (*GENERAL PROVISIONS*) AND CHAPTER 3-2 (*RESTRICTIONS ON ANIMALS*) OF TITLE 3 (*ANIMAL REGULATION)* TO ADD DEFINITIONS RELATING TO DECLAWING CATS; PROHIBIT THE PRACTICE OF DECLAWING CATS; CREATING AN OFFENSE; ESTABLISHING A PENALTY; AND ESTABLISHING AN AFFIRMATIVE DEFENSE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Section 3-1-1 (*Definitions*) is amended to add new definitions for "declawing" and "therapeutic purpose" to read as follows, and to renumber the definitions accordingly:

(4) DECLAWING means the surgical removal of an animal's claws or use of an animal's claws by means of an onychectomy, partial or complete phlangectomy, or partial or complete tendonectomy.

(21) THERAPEUTIC PURPOSE means a procedure necessary to address an animal's physical medical condition. Therapeutic purpose includes procedures that address an existing or recurring illness, infection, disease, injury, or abnormal condition that compromises the animal's health.

PART 1. City Code Chapter 3-2 (*Restrictions on Animals*) is amended to add a new Section 3-2-9 to read:

§ 3-2-9 PRACTICE OF DECLAWING CATS

(A) Except as provided in subsection (C), a person may not perform or procure a procedure that results in the partial or complete declawing of a cat for any reason.

(B) A person who declaws a cat, or who procures the declawing of a cat, as set forth in Subsection (A) commits a violation.

(C) It is an affirmative defense to prosecution that the declawing was done for a therapeutic purpose.

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PART 2. This ordinance takes effect on _____, 2021.

PASSED AND APPROVED

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	§	
_____, 2021	§	_____
		Steve Adler
		Mayor

APPROVED: _____ **ATTEST:**_____

Anne L. Morgan — Jannette S. Goodall

City Attorney — City Clerk

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