

REPORT OF THE COMMITTEE ON HOUSING, SUSTAINABILITY AND HEALTH

Voting Members:

Matt Weyer, Chair; Esther Kia'aina, Vice Chair;
Tyler Dos Santos-Tam, Val A. Okimoto, Augie Tulba

Committee Meeting Held
September 25, 2024

Honorable Tommy Waters
Chair, City Council
City and County of Honolulu

Mr. Chair:

Your Committee on Housing, Sustainability and Health, which considered Bill 41 (2024) entitled:

"A BILL FOR AN ORDINANCE RELATING TO THE PUBLIC SPAY AND NEUTER CLINIC FOR DOGS AND CATS,"

which passed second reading and was the subject of a public hearing held at the September 4, 2024 Council meeting, reports as follows:

The purpose of the bill is to address the administration of the public spay and neuter clinic for dogs and cats.

Your Committee considered and approved a CD1 version of the bill that makes the following amendments:

- A. In SECTION 3 of the bill in proposed new Section 12-5.2 ("Administrative Rules"):
 - 1. Replaces "chapter" with "article" in reference to the scope over which the Director of Customer Services may adopt administrative rules for the purpose of implementing, administering, and enforcing the public spay and neuter clinic for dogs and cats; and

HONOLULU CITY COUNCIL

Ke Kanihela o ke Kalana o Honolulu
CITY AND COUNTY OF HONOLULU

ADOPTED ON **OCT 09 2024**

COMMITTEE REPORT NO. **303**

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2. Removes the last two sentences of the section authorizing the Director of Customer Services to prescribe forms in conformity with the chapter and stating that such forms and rules have the force and effect of law.
- B. In SECTION 5 of the bill, amends the effective date to "July 1, 2025; provided that Section 12-5.1, Revised Ordinances of Honolulu 2021 ("ROH"), as it read on the day prior to the effective date of this ordinance, shall remain in effect until such time that the Director of Customer Services has adopted rules pursuant to ROH Section 12-5.2, and such rules have taken effect."
- C. Makes miscellaneous technical and nonsubstantive amendments.

Your Committee on Housing, Sustainability and Health is in accord with the intent and purpose of Bill 41 (2024), as amended herein, and recommends that it pass third reading in the form attached hereto as Bill 41 (2024), CD1. (Ayes: Dos Santos-Tam, Kia'āina, Okimoto, Tulba, Weyer – 5; Noes: None.)

Respectfully submitted,


Committee Chair

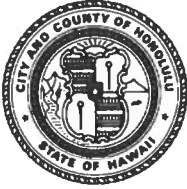
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HONOLULU CITY COUNCIL
KE KANIHELA O KE KALANA O HONOLULU
CITY AND COUNTY OF HONOLULU

ORDINANCE _____

BILL **41 (2024), CD1**

A BILL FOR AN ORDINANCE

RELATING TO THE PUBLIC SPAY AND NEUTER CLINIC FOR DOGS AND CATS.

BE IT ORDAINED by the People of the City and County of Honolulu:

SECTION 1. Purpose. The purpose of this ordinance is to address the administration of the public spay and neuter clinic for dogs and cats.

SECTION 2. Section 12-5.1, Revised Ordinances of Honolulu 2021, is amended to read as follows:

"§ 12-5.1 Authority for clinic and fees.

~~[(a)] The city is authorized and empowered to establish a clinic, through a fee-for-service contract, at which members of the public may have dogs and cats spayed or neutered in a humane manner. [Except as provided in subsections (b) and (c), members of the public shall pay either the following fees or the cost to the city under the fee for service contract for services performed, whichever is less:~~

~~(1) For spaying a female dog: \$150;~~

~~(2) For spaying a female cat: \$50;~~

~~(3) For neutering a male dog: \$125; and~~

~~(4) For neutering a male cat: \$40.~~

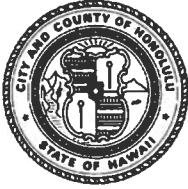
~~(b) A member of the public who has been issued an EBT card shall pay a fee of \$20 for the spaying of a female dog or cat or the neutering of a male dog or cat.~~

~~For the purposes of this subsection, an "EBT card" means a card issued by the State department of human services that will allow the holder to access social service benefits in an electronic benefits transfer account.~~

~~(c) In addition to the fees established in subsections (a) and (b), a veterinarian may charge additional fees for spaying or neutering the following types of animals:~~

~~(1) Cats or dogs older than three years of age; and~~

~~(2) Dogs weighing over 45 pounds.~~



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~~The veterinarian shall inform the animal owner of any additional charges before accepting an animal for spay or neuter surgery.~~

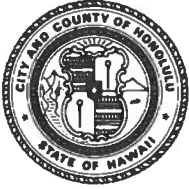
- ~~(d) The veterinarian shall conduct an examination before spay or neuter surgery to determine that the animal is healthy and medically fit to undergo surgery. The veterinarian's decision regarding the animal's fitness for surgery shall be final.]~~

SECTION 3. Chapter 12, Article 5, Revised Ordinances of Honolulu 2021 ("Public Spay and Neuter Clinic for Dogs and Cats"), is amended by adding a new Section 12-5.2 to read as follows:

"§ 12-5.2 Administrative rules.

The director of customer services shall adopt administrative rules pursuant to HRS Chapter 91 for the purposes of implementing, administering, and enforcing this article, including but not limited to setting the fees for spay and neuter services."

SECTION 4. Ordinance material to be repealed is bracketed and stricken. New material is underscored. When revising, compiling, or printing this ordinance for inclusion in the Revised Ordinances of Honolulu, the Revisor of Ordinances need not include the brackets, the material that has been bracketed and stricken, or the underscoring.



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SECTION 5. This ordinance takes effect on July 1, 2025; provided that Section 12-5.1, Revised Ordinances of Honolulu 2021 ("ROH"), as it read on the day prior to the effective date of this ordinance, shall remain in effect until such time that the Director of Customer Services has adopted rules pursuant to ROH Section 12-5.2, and such rules have taken effect.

INTRODUCED BY:

Andria Tupola

DATE OF INTRODUCTION:

July 29, 2024
Honolulu, Hawai'i

Councilmembers

APPROVED AS TO FORM AND LEGALITY:

Deputy Corporation Counsel

APPROVED this _____ day of _____, 20 ____.

RICK BLANGIARDI, Mayor
City and County of Honolulu

Report Title:

Spay and Neuter Clinic for Dogs and Cats; Administrative Rules; Department of Customer Services ("CSD")

Description:

Repeals portions of the Public Spay and Neuter Clinic for Dogs and Cats program and authorizes the CSD to adopt administrative rules to implement, administer, and enforce the program. Takes effect on July 1, 2025.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.