



**CITY OF SAN ANTONIO
OFFICE OF THE CITY COUNCIL
COUNCIL CONSIDERATION REQUEST**

RECEIVED
CITY OF SAN ANTONIO
CITY CLERK
18 APR -9 AM 10:00

TO: Mayor & City Council

FROM: City Councilman Greg Brockhouse

COPIES TO: Sheryl Sculley, City Manager; Leticia Vacek, City Clerk; Andy Segovia, City Attorney; John Peterek, Assistant to the City Manager; Christopher Callanen, Assistant to the City Council

SUBJECT: Review the City Code as it relates to cases of children or domestic animals unattended in a motor vehicle or inclement weather.

DATE: February 22, 2018

Issue Proposed for Consideration

I ask for your support for the inclusion of the following item on the agenda of the earliest available meeting of the Governance Committee:

I respectfully ask for the City to review city policy that would provide for a “Good Samaritans” defense for citizens that take necessary and prudent action in cases where children or domestic animals are left unattended in a motor vehicle or in inclement weather to relieve the threat of danger.

Brief Background

During the 85th Texas Legislative Regular Session, House Bill 401 and Senate Bill 69 were filed, that would have amended the Penal Code as it relates to the offense of cruelty to children or domestic animals. Under the provisions of the bills, leaving a child or a domestic animal unattended in a motor vehicle under certain circumstances would be punishable as a Class A misdemeanor or a state jail felony with the punishment based on the number of previous convictions. This legislation did not become law. However, the intent of this bill is germane to the City of San Antonio due to the extreme heat that can be experienced in the summer months.

The City of San Antonio may not have the legal authority to increase the level of punishment for the responsible parties. Nevertheless, I believe that City Staff should review the current codes to see what steps the City can take to help prevent these circumstances. We should review the Code to determine how to utilize our authority to try and protect life in these circumstances of neglect. Parents or guardians who leave children or domestic animal should be accountable for their negligent actions.

As part of this request, I ask for staff to review what steps can be taken by owners or other residents to keep domestic animals safe during inclement weather such as temperatures that are below 32 degrees in the evening or above 100 degrees in the afternoon to ensure a pet’s safety.

There are always two sides of the equation. I would also suggest that City Staff look at what the City can do to allow citizens the ability to take action to help when they see innocent life

being threatened due to negligence. Therefore, I also request that City Staff review Chapter 21 Article 1 Section 21-1 and any other related Codes that would allow a citizen the ability to take prudent actions in the case of leaving children in a vehicle unattended and add similar provisions for domestic animals.

I respectfully ask for your support in this matter and the review of our Codes to address the issue of helping children and domestic animals who are left in a vehicle unattended.

Councilman Greg Brockhouse, District 6

Supporting Councilmember's Signatures (4 only)

District No.

1.		8
2.		3
3.		2
4.	John Courage	9

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