RESOLUTION NO. 2008-343

Adopted by the Sacramento City Council

June 5, 2008

GRANTING CITATION AND ARREST AUTHORITY TO CERTAIN EMPLOYEES OF THE ANIMAL CARE SERVICES DIVISION OF THE DEPARTMENT OF GENERAL SERVICES FOR THE PURPOSE OF ENFORCING CERTAIN PROVISIONS OF CITY CODE, CALIFORNIA PENAL CODE, AND ALL APPLICABLE FEDERAL, STATE AND LOCAL ORDINANCES

BACKGROUND

A. In accordance with Sacramento City Code, Title 2, Chapter 2.12.030, the City Council is required to issue a Resolution assigning certain individuals the authority to enforce codes through means of citation and arrest.

B. Department of General Services, Animal Control Officers (ACOs) are designated by their employee classification explicit citation authority. The purpose of this authority is to allow enforcement of specified titles of the Sacramento City Code, California Penal Code, and all applicable Federal, State and local ordinances related to animal care services.

C. Periodically, changes in staffing necessitate an update to the list of individuals who shall be granted this authority. Recent changes in personnel require an update to this list.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. In order to enforce provisions of the City Code, California Penal Code, and all applicable Federal, State and local ordinances, those persons hereinafter named are hereby granted Citation and Arrest Authority for the purpose of enforcing particular animal related provisions of the City and State codes specified in Section 2, and all applicable Federal, State and local ordinances ACOs are authorized to enforce, and for those purposes only:

Employee Name	Classification
Alarcon, Pedro	Senior Animal Control Officer
Seabrooks, James	Senior Animal Control Officer
Bartells, Stephanie	Animal Control Officer

Employee Name	Classification
Douglas, Kenneth	Animal Control Officer

Nelms, Clinton	Animal Control Officer
Olsen, Corey	Animal Control Officer
Reynaga, Julian	Animal Control Officer
Samuel, Oliver	Animal Control Officer
Shaw, Alexis	Animal Control Officer
Sliwa, Marek	Animal Control Officer
Sorrels, John	Animal Control Officer
Torres, Dan	Superv. Animal Care Officer

Section 2. The City employees designated in Section 1 above are granted Citation and Arrest authority for the purpose of enforcing the provisions of the Sacramento City Code, the California Penal Code, and all applicable Federal, State and local ordinances ACOs are authorized to enforce, including those specified in Exhibit A.

Section 3. This Resolution is adopted pursuant to Chapter 2.12.030 of Title 2 of the Sacramento City Code and Section 836.5 of the California Penal Code. Nothing herein shall be read to limit the power of authority of any duly appointed law enforcement officer of the City to enforce those Chapters of the City Code heretofore set forth.

Section 4. All previous Resolutions granting Citation and Arrest Authority to Animal Care employees within the Animal Care Services Division of the Department of General Services for the purpose of enforcing certain provisions of the City Code and/or State Law are superseded by this Resolution.

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Exhibit A: List of State and City Codes applicable to Animal Care Services Pg 3

Adopted by the City of Sacramento City Council on June 5, 2008 by the following vote:

Ayes: Councilmembers Fong, Hammond, Pannell, Sheedy, Waters, and Mayor Fargo.

Noes: None.

Abstain: None.

Absent: Councilmembers Cohn, McCarty, and Tretheway.

Heather Fargo

Mayor Heather Fargo

Attest:

Shirley Concolino

Shirley Concolino, City Clerk

EXHIBIT A

LIST OF STATE AND CITY CODES APPLICABLE TO ANIMAL CARE SERVICES

Penal Code 597 – 597.7	Malicious and intentional maiming, mutilation, torture, wounding or killing animals; confinement and medical treatment
Penal Code 597a	Unnecessary torture, suffering or cruelty
Penal Code 597b	Fighting animals and birds
Penal Code 597c	Training animals to fight, or being present
Penal Code 597e	Impounding without food or water
Penal Code 597f	Permitting animals to go without care - veterinary care for injured cats and dogs
Penal Code 597h	Fastening live animals to machines or devices to lure dogs
Penal Code 597i	Trading, selling, bartering, exchanging or possessing implements for fighting birds
Penal Code 597j	Possession of gamecocks for fighting purposes
Penal Code 597k	Use of bristle bur, tack bur, etc. prohibited - penalty
Penal Code 597l	Maintenance of pet shops and animals in the care and control
Penal Code 597s	Abandonment of dog or cat
Penal Code 597t	Confinement of animals
Penal Code 597z	Sale of dogs under 8 weeks of age
H & S Code 122335	Tethering, chaining dog to stationary object
SCC 1.28.010	General Penalty – Continuing violations – Imposition of administrative penalties
SCC 9.44.070	General duties of Animal Control Officers
SCC 9.44.100	Interference with Animal Control Officers
SCC 9.44.120	Authority to issue citations
SCC 9.44.130	Methods of animal control
SCC 9.44.210	Violations and penalties
SCC 9.44.220	Prohibited Conduct – animals running loose, public nuisance
SCC 9.44.230	Impounding animals
SCC 9.44.240	Allow cats to damage property
SCC 9.44.250	Care of animals – food, water, etc. to be provided
SCC 9.44.260	Cleanliness of animal quarters
SCC 9.44.270	Mistreatment prohibited
SCC 9.44.280	Bitches in season
SCC 9.44.290	Protection of animals in motor vehicles
SCC 9.44.300	No animals in City buildings

SCC 9.44.310	Steel-jawed leg-hold traps prohibited
SCC 9.44.320	Keeping of live swine
SCC 9.44.330	Keeping of beehives
SCC 9.44.340	Keeping of livestock
SCC 9.44.350	Therapeutic animals
SCC 9.44.360	Distance from dwelling houses
SCC 9.44.370	Number of dogs, swine or cats per dwelling unit
SCC 9.44.380	Wild animals – permit required – exceptions
SCC 9.44.390	Wild animals – permit application fee
SCC 9.44.400	Wild animals – permit renewal
SCC 9.44.410	Wild animals – permit approval of application
SCC 9.44.420	Wild animals – permit revocation and suspension
SCC 9.44.430	Cat licenses
SCC 9.44.440	Cat license fees
SCC 9.44.450	Cat vaccinations
SCC 9.44.460	Cat license application and identification tag
SCC 9.44.470	Cat identification tag or microchip
SCC 9.44.480	Cat identification tag not transferable
SCC 9.44.490	Dog licenses
SCC 9.44.500	Dog license fees, penalties and waiver of penalties
SCC 9.44.520	Dog vaccinations
SCC 9.44.530	Dog license application and identification tag
SCC 9.44.540	Dog identification tag attached to collar
SCC 9.44.550	Dog identification tag not transferable
SCC 9.44.560	Swine licenses
SCC 9.44.570	Swine license fees, penalties and waiver of penalties
SCC 9.44.580	Neutering certificate required for male swine
SCC 9.44.590	Swine license application and identification tag
SCC 9.44.600	Swine identification tag attached to collar
SCC 9.44.610	Swine identification tag not transferable
SCC 9.44.620	Rabies vaccination of dogs required
SCC 9.44.630	Rabies vaccination of dog – exception
SCC 9.44.640	Rabies vaccination reporting required
SCC 9.44.650	Quarantine of animals – when required
SCC 9.44.660	Quarantine of animals – violation unlawful
SCC 9.44.670	Examination of dead animals for rabies
SCC 9.44.680	Duty to assist in quarantine of suspected rabid animals
SCC 9.44.690	Period of quarantine
SCC 9.44.700	Public protection from animals

SCC 9.44.710	Potentially dangerous and dangerous animal defined
SCC 9.44.720	Declaration and possession of dangerous or potentially dangerous animals
SCC 9.44.730	Appeal of declaration of dangerous or potentially dangerous animal
SCC 9.44.740	Impoundment and/or destruction of potentially dangerous or dangerous animal
SCC 9.44.750	Administrative appeal hearing for potentially dangerous or dangerous animal
SCC 9.44.760	Permanent change of ownership, custody and/or residence of dangerous or potentially dangerous animal
SCC 9.44.770	Violations, remedies - harboring prohibited