

ORDINANCE NO. 2010-021

Adopted by the Sacramento City Council

July 20, 2010

AN ORDINANCE AMENDING AND REPEALING VARIOUS SECTIONS OF CHAPTERS 2.20, 3.44, 3.52, 5.108, 5.138, 5.40, 8.04, 8.08, 8.16, 8.68, 9.12, 9.44, 10.20, AND 12.24 RELATING TO GENERAL CODE MAINTENANCE

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

Section 1

Section 2.20.050 of the Sacramento City Code is repealed.

Section 2

Section 3.44.110 of the Sacramento City Code is amended as follows:

- A. Subsection H of Section 3.44.110 is repealed.
- B. Except as specifically amended by this repeal of Subsection H, Section 3.44.110 shall remain unchanged and in full force and effect.

Section 3

Section 3.52.020 of the Sacramento City Code is amended to read as follows:

3.52.020 William Land park fund.

The money bequeathed to the city by the late William Land, former mayor of Sacramento, "to purchase a public park within suitable distance of said city" to be known as the "William Land Park," shall, with the interest thereon, constitute a fund to be known as the "William Land park fund." This fund shall be administered by the mayor and the city council of the city under the terms and conditions of the last will and testament of William Land as successors to the mayor and board of trustees named therein.

Section 4

Section 5.108.280 of the Sacramento City Code is amended to read as follows:

5.108.280 Violation—Penalty.

- A. Any person violating any provision of this chapter, other than sections 5.108.070, 5.108.080, 5.108.110 and 5.108.120, is guilty of a misdemeanor.
- B. Any person violating sections 5.108.070, 5.108.080, 5.108.110 or 5.108.120 of this chapter shall be subject to a civil action and/or administrative penalties pursuant to Chapter 1.28. 010

Section 5

Section 5.138.110 of the Sacramento City Code is amended as follows:

A. Subsection C of section 5.138.110 is amended to read as follows:

- C. In the event the city manager suspends or revokes a license, written notice of the suspension or revocation shall be served upon the licensee within five days of the suspension or revocation in the manner prescribed in Section 5.138.060(C). The notice shall contain:
 - 1. A brief statement of the specific grounds for such suspension or revocation;
 - 2. A statement that the licensee may appeal the suspension or revocation by submitting an appeal, in writing, in accordance with the provisions of Section 5.138.120, to the city manager, within ten (10) calendar days of the date of service of the notice; and
 - 3. A statement that the failure to appeal the notice of suspension or revocation will constitute a waiver of all right to an administrative appeal hearing, and the suspension or revocation will be final.

B. Except as specifically amended by the amendment to subsection C, section 5.138.110 shall remain unchanged and in full force and effect.

Section 6

Chapter 5.40 of the Sacramento City Code is repealed.

Section 7

Section 8.04.080 of the Sacramento City Code is amended as follows:

A. Subsection B of section 8.04.080 is amended to read as follows:

B. Civil Penalties. In addition to any other remedy, including injunctive relief, any person violating the provisions of this chapter shall be subject to a civil action to abate or enjoin the nuisance and shall be liable for civil penalties of not less than two hundred fifty dollars (\$250.00) or more than twenty-five thousand dollars (\$25,000.00) for each day the violation continues. The city attorney may pursue any lawful civil remedy and civil penalties brought to enforce any provisions of this chapter.

B. Except as specifically amended by the amendment to subsection C, Section 8.04.080 shall remain unchanged and in full force and effect.

Section 8

Section 8.08.080 of the Sacramento City Code is amended as follows:

A. Subsection D of section 8.08.080 is amended to read as follows:

D. The occurrence of prostitution or unlawful activities of a criminal street gang (as defined in Penal Code Section 186.22).

B. Except as specifically amended by the amendment to subsection C, section 8.04.080 shall remain unchanged and in full force and effect.

Section 9

Section 8.16.100 of the Sacramento City Code is repealed.

Section 10

Section 8.68.080 of the Sacramento City Code is amended to read as follows:

8.68.080 Exemptions.

The following activities shall be exempted from the provisions of this chapter:

A. School bands, school athletic and school entertainment events. School entertainment events shall not include events sponsored by student organizations.

- B. Activities conducted on parks and public playgrounds, provided such parks and public playgrounds are owned and operated by a public entity.
- C. Any mechanical device, apparatus or equipment related to or connected with emergency activities or emergency work.
- D. Noise sources due to the erection (including excavation), demolition, alteration or repair of any building or structure between the hours of seven a.m. and six p.m., on Monday, Tuesday, Wednesday, Thursday, Friday and Saturday, and between nine a.m. and six p.m. on Sunday; provided, however, that the operation of an internal combustion engine shall not be exempt pursuant to this subsection if such engine is not equipped with suitable exhaust and intake silencers which are in good working order. The director of building inspections, may permit work to be done during the hours not exempt by this subsection in the case of urgent necessity and in the interest of public health and welfare for a period not to exceed three days. Application for this exemption may be made in conjunction with the application for the work permit or during progress of the work.
- E. Noise sources associated with agricultural operations provided such operations take place between the hours of six a.m. and eight p.m.; provided, however, that the operation of an internal combustion engine shall not be exempt pursuant to this subsection if such engine is not equipped with suitable exhaust and intake silencers which are in good working order.
- F. Any mechanical device, apparatus or equipment which are utilized for the protection or salvage of agricultural crops during period of adverse weather conditions or when the use of mobile noise sources is necessary for pest control; provided, however, that the operation of an internal combustion engine shall not be exempt pursuant to this subsection if such engine is not equipped with suitable exhaust and intake silencers which are in good working order.
- G. Noise sources associated with maintenance of street trees and residential area property provided said activities take place between the hours of seven a.m. and six p.m.
- H. Tree and park maintenance activities conducted by the city department of parks and community services; provided, however, that use of portable gasoline-powered blowers within two hundred (200) feet of residential property shall comply with the requirements of Section 8.68.150 of this chapter.

- I. Any activity to the extent provisions of Chapter 65 of Title 42 of the United States Code, and Articles 3 and 3.5 of Chapter 4 of Division 9 of the Public Utilities Code of the state of California preempt local control of noise regulations and land use regulations related to noise control of airports and their surrounding geographical areas, any noise source associated with the construction, development, manufacture, maintenance, testing or operation of any aircraft engine, or of any weapons system or subsystems which are owned, operated or under the jurisdiction of the United States, any other activity to the extent regulation thereof has been preempted by state or federal law or regulation.
- J. Any noise sources associated with the maintenance and operation of aircraft or airports which are owned or operated by the United States.

Section 11

Section 9.12.060 of the Sacramento City Code is repealed.

Section 12

Chapter 9.44 Animals of the Sacramento City Code is amended as follows:

- A. Section 9.44.010 of Chapter 9.44 is amended to read as follows:

9.44.010 Title.

This chapter of the code shall be known as the animal care services law and may be cited as such, and will hereinafter be referred to herein as "this chapter."

- B. Section 9.44.020 of Chapter 9.44 is amended as follows:

- (1) The definition of "animal control shelter" set forth in section 9.44.020 is amended to read as follows:

"Animal Care Services shelter" means the facilities provided by the city for the impounding of animals.

- (2) Except as specifically amended by the amendment to the definition of "Animal Care Services shelter," section 9.44.020 shall remain unchanged and in full force and effect.

- C. Section 9.44.050 of Chapter 9.44 is amended to read as follows:

9.44.050 Animal Care Services Manager—Position created—Duties generally.

The position of Animal Care Services Manager is created and this official is authorized and empowered to administer and enforce all provisions of this law.

D. Section 9.44.060 of Chapter 9.44 is amended to read as follows:

9.44.060 Animal Care Services Manager—Appointment.

The Animal Care Services Manager shall be appointed by and hold office at the pleasure of the city manager. The Animal Care Services Manager shall have as many assistants and deputies as the city manager may deem necessary for the performance of his or her duties.

E. Section 9.44.070 of Chapter 9.44 is amended to read as follows:

9.44.070 Duty of Animal Care Services Manager.

The Animal Care Services Manager shall:

- A. Take up and impound all animals found to be in violation of the provisions of this chapter.
 1. When a dog or swine permitted by Section 9.44.320 of this chapter has strayed from the property of its owner or keeper and has returned to same, Animal Care Services officers shall not impound the dog or swine unless the owner or keeper is not at home. If the owner or keeper is at home, the Animal Care Services officer may issue a citation to the owner or keeper. When the owner or keeper is not at home, the dog or swine may be impounded, providing notice of impoundment is posted on the front door of the owner's or keeper's living unit. Such notice shall state the following: that the dog or swine has been impounded; where the dog or swine is being held; the name, address and telephone number of the agency or person to be contacted regarding release of the dog or swine; and an indication of the ultimate disposition of the dog or swine if no action to regain it is taken within a specified period of time by its owner or by the person who has a right to control the dog or swine.
- B. Provide all entitled animals with sufficient shelter, food and water.
- C. Remove and dispose of the carcass of any animal found dead in or on any public highway, street, alley or other public place by such appropriate means as may be at his or her disposal.

- D. Remove and dispose of the carcass of any animal found dead on private property when the owner of such property or the owner of such animal cannot be immediately located by the Animal Care Services Manager, or when such owner or owners refuse to dispose of the carcass within such period of time as may be reasonable under the circumstances.

F. Section 9.44.080 of Chapter 9.44 is amended to read as follows:

9.44.080 Keeping of records.

The Animal Care Services Manager shall keep such records of impounded animals as may be required of him or her by the city manager.

G. Section 9.44.090 of Chapter 9.44 is amended to read as follows:

9.44.090 Uniforms of Animal Care Services officers—Markings on vehicles.

Assistant Animal Care Services officers and deputy Animal Care Services officers shall wear uniforms or other means of distinctive clothing to be provided by the city while performing their duties pursuant to this code. In addition, they shall be provided with a badge or other insignia for their uniform which shall be worn to identify themselves to the public. All vehicles assigned to and routinely used by the Animal Care Services center shall be clearly marked and identified as such, but, this shall not mean that the Animal Care Services center cannot also use any other public vehicles in the performance of their functions under this chapter.

H. Section 9.44.100 of Chapter 9.44 is amended to read as follows:

9.44.100 Interference with Animal Care Services Manager.

It is unlawful for any person to prevent, oppose, resist or otherwise interfere with the Animal Care Services Manager, his or her assistants and deputies, in the performance of their duties pursuant to this chapter.

I. Section 9.44.120 of Chapter 9.44 is amended to read as follows:

9.44.120 Authority to issue citations.

In accordance with the provisions of Chapter 2.12 of this code, persons employed as Animal Care Services officers shall be granted citation issuance and arrest authority for purposes of enforcement of the provisions of this chapter and pertinent state statutes.

J. Section 9.44.130 of Chapter 9.44 is amended to read as follows:

9.44.130 Methods of animal control.

In the performance of his or her duties, the Animal Care Services Manager, his or her assistants and deputies, shall have authority to use all methods of animal control normally employed by animal control agencies within this state, specifically including the use of the tranquilizer gun.

K. Section 9.44.140 of Chapter 9.44 is amended to read as follows:

9.44.140 Miscellaneous fees.

In addition to those fees specified elsewhere in this chapter, the city council may by resolution set other fees for services provided by the animal care and control division.

L. Section 9.44.150 of Chapter 9.44 is amended to read as follows:

9.44.150 Period of impoundment.

Any impounded animal which is of a type referred to in Section 17003 of the State Agricultural Code shall be kept in the Animal Care Services center or other designated facility for at least five days unless it is redeemed within such period. If the animal is not redeemed, it shall be turned over to the director of agriculture of the state for disposition by him or her.

Any other impounded animal shall be kept in the Animal Care Services center for at least seventy-two (72) hours unless it is redeemed within such period.

M. Section 9.44.160 of Chapter 9.44 is amended to read as follows:

9.44.160 Redemption.

The owner or person entitled to the control or custody of any animal impounded may, at any time before the sale or other disposition thereof, redeem the same by paying to the city all proper fees and charges thereon made by virtue of any of the provisions of this chapter and, if the animal is a dog, after complying with the provisions of this chapter pertaining to licensing and vaccination; except that an impounded dog that has not been vaccinated against rabies, may be released to an owner who has paid all fees required herein, including the license fee, on condition that the owner shall:

A. Have the dog vaccinated for rabies within ten (10) days; and

- B. Exhibit a valid certificate of vaccination to the Animal Care Services Manager within ten (10) days, at which time the license will be issued. It is unlawful for an owner or person receiving an animal subject to such conditions to fail or refuse to comply with such provisions.

N. Section 9.44.180 of Chapter 9.44 is amended to read as follows:

9.44.180 Redemption fees.

The Animal Care Services Manager shall charge and collect the fees established for impounded animals when claimed:

- A. Any horse, cow, bull, steer, ox, mule, burro, ass or other animal of similar or larger size which is impounded, may be redeemed by the owner or person entitled to have charge of the animal upon payment of both a redemption fee and a fee for feeding and caring for such animal, both fees to be established by resolutions of the city council, plus any other actual costs of impoundment.
- B. Any dog, cat, rabbit, hog, sheep, goat, fowl, other small animal or any wild animal not otherwise provided for in this chapter, which is impounded, may be redeemed by the owner or person entitled to have charge of such animal upon payment of both a redemption fee established by resolution of the city council for the feeding and caring for such animal, plus any other actual costs of impoundment.

O. Section 9.44.200 of Chapter 9.44 is amended to read as follows:

9.44.200 Livestock and wild animal capture fee.

In the event it is necessary for the Animal Care Services Manager to cause the impoundment of any large quadruped domestic animal of the type specified in Section 9.44.180(A) of this chapter or any wild animal, there shall be collected from the owner of such animal, in addition to all other fees, a capture fee according to a schedule established by resolution of the city council.

P. The title to Article III of Chapter 9.44 is amended to read as follows:

Article III. Animal Care Services Regulations Generally

Q. Section 9.44.230 of Chapter 9.44 is amended to read as follows:

9.44.230 Impounding animals.

Any dog, bovine animal, horse, mule, burro, sheep, hog, goat, poultry, swine or wild animal found to be at large in this city is a public nuisance and shall be taken up and impounded by the Animal Care Services officer.

R. Section 9.44.270 of Chapter 9.44 is amended to read as follows:

9.44.270 Mistreatment prohibited.

It is unlawful for any person to treat, control or maintain any animal in a cruel or inhumane manner. It shall be the duty of the Animal Care Services Manager of the city and his or her assistants or deputies to immediately report any evidence of mistreatment of animals to the Sacramento Society for the Prevention of Cruelty to Animals.

S. Section 9.44.300 of Chapter 9.44 is amended as follows:

- (1) Subsection D of section 9.44.300 is amended to read as follows:
 - D. Subsection A of this section shall not apply to the city Animal Care Services center.
- (2) Except as specifically amended by the amendment to subsection D, section 9.44.300 shall remain unchanged and in full force and effect.

T. Section 9.44.350 of Chapter 9.44 shall be amended to read as follows:

9.44.350 Therapeutic animals.

- A. The Animal Care Services Manager shall approve the keeping of no more than one animal classified as livestock (excluding roosters), weighing no more than sixty (60) pounds, upon making the following findings:
 1. That the keeping of the animal will be of substantial therapeutic value to its owner or a member of the owner's household, based upon a certification from a California licensed physician and surgeon, psychologist, clinical social worker, or marriage, family, and child counselor, or other satisfactory evidence;
 2. That the keeping of the animal will not create a nuisance;
 3. That the keeping of the animal will not be detrimental to the animal's welfare.

The Animal Care Services Manager may impose such conditions on the keeping of the animal as he or she deems necessary to prevent the creation of a nuisance.

- B. The Animal Care Services Manager may revoke any approval granted hereunder if he or she determines that the keeping of the animal has resulted in a nuisance, or is contrary to the public health, safety or welfare.
- C. Any person aggrieved by the Animal Care Services Manager's grant or denial of approval to keep an animal, or by the Animal Care Services Manager's revocation of an approval, may appeal such decision to a review committee consisting of:
 - 1. The city manager or the manager's designee;
 - 2. The director of public works, or the director's designee; and
 - 3. A veterinarian designated by the city manager, by filing a notice of appeal with the city manager within ten (10) days after the Animal Care Services Manager makes his or her written determination. The review committee shall hold an informal hearing at which interested parties may present testimony and evidence concerning the matter. The decision of the review committee shall be final; provided, however, that the city council may, by motion, assume jurisdiction of the appeal and make a final determination which shall substitute for or supersede the review committee's decision.

U. Section 9.44.380 of Chapter 9.44 shall be amended to read as follows:

9.44.380 Wild animals—Permit—Required—Exceptions.

- A. No persons shall own any wild animal without first applying to and receiving from the Animal Care Services Manager a permit to do so. The permit requirements of this article are not applicable to the following:
- B. Owners who use wild animals for diagnostic purposes or research, the use having been approved by the California State Board of Public Health pursuant to Section 1666 of the Health and Safety Code; owners who use wild animals for teaching purposes in recognized educational institutions; owners of establishments which treat or board animals and which are owned or operated by veterinarians licensed by the state of California; owners of game farms or game breeding establishments licensed by the state of California; owners of nonprofit zoological gardens open to the public; owners of pet shops who maintain wild animals solely at their place of business; and owners of circuses which are being presented on or in property owned by a governmental entity.

V. Section 9.44.390 of Chapter 9.44 shall be amended to read as follows:

9.44.390 Wild animals—Permit—Application—Fee.

- A. The application for a permit shall contain the name of the applicant, his or her address, the address of the proposed location of the animal, if different from the applicant's, and a brief description of the applicant's plan for keeping the animal which shall include the specie or species of animal, the number of individuals of each specie and a description of the housing facilities for the animal.
- B. The initial fee for the issuance of each permit shall be established by resolution of the city council and shall be valid for a period of one year from the date of its issuance unless revoked or suspended. Such fee shall cover either one animal or a collection, and the maximum number of specimens permitted to be kept shall be specified in the permit. Whenever a new animal or collection is added so as to exceed the maximum number permitted, a new permit must be secured and a new fee must be paid subject to the exceptions in Section 9.44.400 of this chapter. The fee shall be due and payable at the time of issuance of the permit and shall be a prerequisite of such issuance. Whenever, in any given permit year, there are new animals in a collection due to the reproduction of members of the collection or due to trade, exchange or replacement in the same number and of the same zoological order as the members of the collection traded, exchanged or replaced, such new animals shall not require an additional permit during that year, provided the Animal Care Services Manager is notified in writing of such new animals within thirty (30) days of acquisition.

W. Section 9.44.410 of Chapter 9.44 shall be amended to read as follows:

9.44.410 Wild animals—Permit—Approval of application.

Upon receipt of an application for an initial permit by the Animal Care Services Manager, the application shall be forwarded to the building inspections division of the city, the superintendent of the city zoo, and the public health department of the county and designated employees of these departments shall ascertain whether or not the applicant's plan is in conformity with all laws governing their respective departments.

If the applicant's plan is in conformity with the law governing such departments, departmental approval shall be indicated on the face of the application. If the applicant's plan is not in conformity with the law governing the departments, the face of the application shall be marked "Not Approved" and the reason for nonapproval noted thereon, along with any revisions or changes in the

applicant's plan which if made would result in approval by the department in question.

Upon approval by the departments of an application for an initial permit or upon the receipt of an application for a renewal permit, the Animal Care Services Manager shall make any investigation he or she deems proper. He or she shall approve an application if he or she finds all of the following:

- A. The keeping of the wild animal at the location specified in the application will not violate any law or ordinance of the city or any law of the state.
- B. The keeping and maintenance of the wild animal will not endanger the peace, health, or safety of persons in the immediate vicinity, or in the city as a whole.
- C. The premises and housing where the wild animal is to be kept are in a clean and sanitary condition, and any wild animal will not be subject to suffering, cruelty or abuse.
- D. The applicant has not had a permit provided for herein revoked within a year prior to the date of application.
- E. The keeping and maintenance of the wild animal does not constitute a public nuisance.

X. Section 9.44.420 of Chapter 9.44 shall be amended to read as follows:

9.44.420 Wild animals—Permit—Revocation and suspension.

Any permit issued pursuant to this article may be revoked or suspended as herein provided if, after investigation, the Animal Care Services Manager finds any of the following to be true:

- A. The owner, his or her agent or employee has been convicted of any offense involving the violation of Section 597 of the Penal Code of the state of California, or any provisions of this article, or is in violation of the zoning, health, and safety or building ordinances relating to the keeping of wild animals; or
- B. The owner has failed to keep and maintain the premises or housing for the wild animals in a clean and sanitary condition; or
- C. The owner has, at the place for which the permit is issued, failed to provide any wild animal with proper food, water, shelter or attention; or

- D. The owner has violated any rules, regulations or conditions adopted by the Animal Care Services Manager as necessary to insure that the wild animal will not endanger the safety of any person or property.

Y. Section 9.44.460 of Chapter 9.44 shall be amended to read as follows:

9.44.460 Application—Issuance—Identification tag to be issued.

The person owning or having control of the cat shall furnish to the animal care services division or other authorized city department a description of the cat sufficient for identification, which description shall be entered in a record kept by the Animal Care Services Manager for that purpose. A metallic or plastic identification tag having a number corresponding with the registration upon the cat shall be issued to the owner of the cat. Upon such registration, a license certificate shall be issued to the applicant.

Z. Section 9.44.480 of Chapter 9.44 shall be amended to read as follows:

9.44.480 Identification tag—Not transferable.

It is unlawful for any person to use any identification tag for any other cat than for the one for which it was originally issued. The owner of a licensed cat shall preserve the license certificate upon the premises wherein the registered cat is kept and shall, upon demand of the animal care services manager, or any health officer, or a police officer of the city, show to such Animal Care Services officer, health officer or police officer the license certificate to maintain such cat.

AA. Section 9.44.570 of Chapter 9.44 shall be amended to read as follows:

9.44.570 Fee—Penalties—Waiver of penalties.

- A. A license fee in the same amount as established by resolution of the city council for dog licenses shall be collected by the Animal Care Services Manager or other authorized city department, or by veterinarians or other persons as authorized by the city manager, from the owner of each swine, male or female, over the age of four months, located within the city.

The license period is three years.

A delinquency fee set by resolution of the city council shall be payable in addition to the license fee whenever a license is not renewed on or before the first business day after expiration.

Any person who acquires ownership, custody or control of any swine not currently licensed pursuant to provisions of this chapter shall be immediately

liable for the payment of the license fee and shall be liable for a delinquency fee as set by the city council if the license is not obtained within thirty (30) days.

No license shall be issued for a current license period until such time as there is paid an amount equal to all delinquencies and fees outstanding for the prior license period in addition to the fee for the current period.

B. Notwithstanding the provisions of subsection A of this section, the Animal Care Services Manager is authorized to waive delinquency fees for up to one month per year, in order to encourage citizens with unlicensed swine to obtain licenses. The Animal Care Services Manager shall cause this licensing amnesty program to be publicized throughout the city.

BB. Section 9.44.580 of Chapter 9.44 shall be amended to read as follows:

9.44.580 Neutering certificate required prior to issuance for male swine.

A swine license shall not be issued for any male swine unless and until the owner presents to the Animal Care Services Manager or other authorized city department a valid certificate of neutering.

CC. Section 944.590 of Chapter 9.44 shall be amended to read as follows:

9.44.590 Application—Issuance—Identification tag to be issued.

The person owning or having control of the swine shall furnish to the Animal Care Services Manager or other authorized city department a description of the swine sufficient for identification, which description shall be entered in a record kept by the Animal Care Services Manager for that purpose. A metallic or plastic identification tag having a number corresponding with the registration of the swine shall be issued to the owner of the swine. Upon such registration, a permit to keep a swine shall be issued to the applicant.

DD. Section 9.44.610 of Chapter 9.44 shall be amended to read as follows:

9.44.610 Identification tag—Not transferable.

It is unlawful for any person to use any license tag for any other swine than for the one for which it was originally issued. The owner of a licensed swine shall preserve the license permit upon the premises wherein the registered swine is kept and shall, upon demand of the Animal Care Services Manager, or any health officer, or a police officer of the city, show to such Animal Care Services officer or health officer or police officer the license tag and permit to keep such swine.

EE. Section 9.44.630 of Chapter 9.44 shall be amended to read as follows:

9.44.630 Vaccination—Exception.

Any dog may be exempted from antirabies vaccination if its owner presents to the Animal Care Services Manager a statement in writing from a licensed veterinarian that such dog is not in physical condition to be vaccinated or that antirabies vaccination would be detrimental, for physiological reasons, to such dog's health. Such written statement must be presented to and endorsed by the health officer within five days of the examination. The intent of this provision is to cover periods of actual illness and not to exempt animals because of age alone.

FF. Section 9.44.650 of Chapter 9.44 shall be amended to read as follows:

9.44.650 Quarantine of animals—When required.

The Animal Care Services Manager shall insure that all animals falling into the following categories shall be isolated or quarantined for a period not less than fourteen (14) days (dogs and cats ten (10) days) at the place and under the conditions prescribed by the health officer and pertinent state laws and regulations; (1) known rabid animals, (2) suspected rabid animals, (3) animals that have bitten or otherwise exposed a human to rabies, (4) animals of a species subject to rabies which have been bitten by a known rabid or suspected rabid animal or have been in intimate contact with a rabid or suspected rabid animal.

GG. Section 9.44.660 of Chapter 9.44 shall be amended to read as follows:

9.44.660 Quarantine—Violation unlawful.

It is unlawful for the owner or keeper of any animal to violate any of the conditions of isolation or quarantine prescribed by the health officer, the Animal Care Services Manager, or their assistants.

HH. Section 9.44.670 of Chapter 9.44 shall be amended to read as follows:

9.44.670 Examination of dead animals for rabies.

Upon the death of any rabid animal, clinically suspected rabid animal, or animal which has or is suspected of having bitten or otherwise exposed a human to rabies, the Animal Care Services Manager shall obtain and turn over to the health officer the carcass of such animal or an adequate specimen thereof.

II. Section 9.44.680 of Chapter 9.44 shall be amended to read as follows:

9.44.680 Duty to assist in quarantine of suspected rabid animals.

It is the duty of any person having knowledge that any dog or other animal has or is suspected of having bitten any human being within the limits of the city to immediately report that fact to Animal Care Services Manager or to the health department and to furnish complete information regarding the incident. In the event that the Animal Care Services Manager secures information of the existence of any case of rabies or other animal disease dangerous to human beings in the city, he or she shall immediately report the same to the health officer. The owner of any animal which has or is suspected of having bitten any person within the preceding fourteen (14) days, shall immediately, upon demand, surrender such animal to the Animal Care Services Manager for purposes of quarantine or confinement as set forth in Section 9.44.650. It is unlawful and a misdemeanor for any person having control, custody or possession of the animal, whether or not he or she is the owner of such animal, to fail to surrender such animal to the Animal Care Services Manager upon demand or to in any way hinder, interfere with, or delay the Animal Care Services Manager in the performance of his or her duties under the provisions of this chapter. Punishment for a violation of this section shall be imprisonment for a period of not less than fifteen (15) days or more than one hundred eighty (180) days or a fine of not less than two hundred fifty (250) dollars nor more than five hundred dollars (\$500.00) for each violation, or both such fine and imprisonment.

JJ. Section 9.44.690 of Chapter 9.44 shall be amended to read as follows:

9.44.690 Period of quarantine.

Upon order of the health officer, the period of isolation or quarantine for any animal may be extended to twenty (20) days. If the health officer shall determine that such animal is suffering from rabies and by reason of such disease is dangerous to persons or other animals, he or she shall require that the animal be destroyed. If the health officer shall determine that the animal is not so diseased the Animal Care Services Manager shall notify the owner or person from whom custody of the animal was taken, that further isolation or quarantine is unnecessary.

If the animal was isolated or quarantined at the city Animal Care Services center, it shall not be released until the owner or person from whose custody the animal was taken shall have paid to the Animal Care Services Manager the sum per day established by resolution of the city council for keeping such animal; provided, however, that if no person lawfully entitled to such animal shall, within five days after the last day of the quarantine period, appear at the Animal Care Services center and request the release of such animal and pay the charges, such animal may be sold or disposed of.

Section 13

Section 10.20.040 of the Sacramento City Code is repealed.

Section 14

Section 12.24.20 of the Sacramento City Code is amended to read:

12.24.020 Signs, posts, structures, etc.

It is unlawful to erect, place or maintain on any sidewalk within the city limits any signs, posts, structures or obstructions of any kind whatsoever; except, as otherwise provided in this title.

Any such sign, post, structure or obstruction, except such as may be specifically provided for in this title, is declared to be a nuisance and shall be removed by the City Manager, or his or her designee immediately upon its existence being ascertained.

Adopted by the City of Sacramento City Council on July 20, 2010 by the following vote:

Ayes: Councilmembers Cohn, Fong, Hammond, McCarty, Pannell, Sheedy, Tretheway, Waters, and Mayor Johnson.

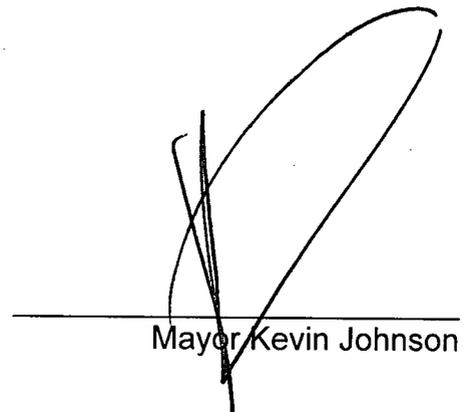
Noes: None.

Abstain: None.

Absent: None.

Attest:


Shirley Concolino, City Clerk


Mayor Kevin Johnson

Effective: August 18, 2010