REPORT TO COUNCIL
City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www. CityofSacramento.org

CONSENT
February 20, 2007

Honorable Mayor and
Members of the City Council

Title: Citation Authority for Animal Control Officers

Location/Council District: Citywide

Recommendation: Adopt a **Resolution** granting citation authority to the Animal Control Officers in the Animal Care Services Division of the Department of General Services in order to enforce provisions of the City Code and California Penal Code.

Contacts: Hector Cazares, Division Manager, 808-7433, Donna Wicky, Administrative Officer, 808-6719

Presenters: Not Applicable

Department: General Services

Division: Animal Care Services

Organization No: 3172

Description/Analysis

Issue: In accordance with Sacramento City Code, Title 2, Chapter 2.12.030 and California Penal Code Section 836.5, the City Council is required to issue a Resolution assigning specific individuals the authority to enforce codes through means of citation and arrest. The attached Resolution provides the names of the specific individuals in the Animal Care Services Division who have received the required training and are recommended to receive approval for citation and arrest authority.

Policy Considerations: The staff recommendation is consistent with City Council priorities and policies related to compliance with the City's Codes, cost recovery, and the City's goal to enhance and preserve the neighborhoods by providing enforcement of animal related laws.

Environmental Considerations: This report is not considered a project and therefore has no potential for an effect on the environment as stated by the provisions of the California Environmental Quality Act (Section 15061 (b) (3)).

Commission/Committee Action: None

Rationale for Recommendation: In accordance with Title 2 of the Sacramento City Code, when a job classification is designated by the City Manager as requiring citation authorization, a Resolution granting individual employees citation authority is routinely forwarded to the City Council for approval.

The actions in the recommended Resolution meet the requirements of Title 2, Section 2.12.030 of the Sacramento City Code which authorizes City Council to grant citation authority to individual employees. It is currently necessary to update the list of Animal Care employees permitted this authorization, as personnel changes in the Animal Care Services Division have occurred.

Financial Considerations: This report does not result in any financial impact to the City.

Emerging Small Business Development (ESBD): No goods or services are being purchased.

Respectfully Submitted by: _____
Hector R. Cazares
Manager, Animal Care Services

Approved by: _____ for
Reina J. Schwartz
Director, Department of General Services

Recommendation Approved:

_____
for Ray Kerridge
City Manager

Table of Contents:

	Report	Pgs 1-2
Attachments		
1	Background	Pg 3
2	Resolution	Pgs 4-5
3	Exhibit A-State and City Codes applicable to Animal Care Services	Pgs 6-8

ATTACHMENT 1

BACKGROUND INFORMATION

In accordance with Sacramento City Code, Title 2, Chapter 2.12.030, the City Council is required to issue a Resolution assigning specific individuals the authority to enforce codes through means of citation and arrest. Within the Department of General Services, Animal Control Officers are designated by their employee classification the specified citation authority.

However, before these officers can be granted this authority, they must meet certain requirements. The individuals who enforce the animal related codes have met additional training requirements with the City of Sacramento Police Department and are qualified to be granted citation and arrest authority.

Periodically, staffing changes require an update to the list of individuals who shall be granted this authority. Personnel changes in the Animal Care Services Division require an update to the list of names granted citation and arrest authority.

RESOLUTION NO. 2007-XXXX

Adopted by the Sacramento City Council

February 20, 2007

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 AND CALIFORNIA PENAL CODE

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 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 and the California Penal Code.

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 and California Penal Code, 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 for those purposes only:

Employee Name	Classification
Alarcon, Pedro	Senior Animal Control Officer
Seabrooks, James	Senior Animal Control Officer
Bartells, Stephanie	Animal Control Officer
Curl, Robert	Animal Control Officer
Douglas, Kenneth	Animal Control Officer
Milton, Legus	Animal Control Officer
Nelms, Clinton	Animal Control Officer
Olsen, Corey	Animal Control Officer

Employee Name	Classification
Reynaga, Julian	Animal Control Officer
Samuel, Oliver	Animal Control Officer
Sliwa, Marek	Animal Control Officer
Sorrels, John	Animal Control 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 and the California Penal Code 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.

Table of Contents:

Exhibit A: List of State and City Codes applicable to Animal Care Services Pgs 6-8

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 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