REPORT TO COUNCIL
City of Sacramento

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

PUBLIC HEARING
March 20, 2007

Honorable Mayor and
Members of the City Council

Title: Adopt Ordinances Amending City Code for Animal Care Services

Location/Council District: Citywide

Recommendation: Adopt the 1) **Ordinance** amending sections of the City Code relating to dog licenses; 2) **Ordinance** amending sections of the City Code relating to cat licenses; 3) **Ordinance** amending and adding sections to the City Code relating to criminal and administrative penalties; 4) **Ordinance** adding Article IX to Chapter 9.44 of the City Code relating to the sale and advertisement of dogs and cats; and 5) **Resolution** to amend the Citywide fee and charge report to establish new fees for Animal Care Services.

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

Presenters: Not Applicable

Department: General Services

Division: Animal Care Services

Organization No: 3174

Description/Analysis

Issue: During City Council's February 27, 2007 afternoon session, Council considered public testimony regarding the proposed ordinance revisions and additions. At the conclusion of that testimony, Council directed staff to formalize a vote with Animal Care Services' Citizens Advisory Committee and return on March 20, 2007, with the results of that vote.

At the February 27, 2007 Citizens Advisory Committee evening meeting, a formal vote of the committee members concerning the proposed changes to the City Code was taken. The committee voted to approve the attached code revisions and additions.

The recommendations in this report address revisions to City ordinances related to animal care enforcement and cost recovery processes. This report proposes

licensing fee increases as set forth in the attached resolution amending the fee and charge schedule for Animal Care Services.

To manage the problem of animal overpopulation and create added incentives for pet owners to spay and neuter their animals, Animal Care Services proposes an increase in licensing fees for both altered and unaltered animals and additional restrictions on the sale, transfer and breeding of dogs and cats. The proposed amendments will strengthen Animal Care's enforcement capability and, additionally, will allow for cost recovery for program and operational expenses through an administrative remedy collection process.

The ordinance revisions amend the existing dog and cat licensing portions of the City Code, add provisions to streamline the citation process (by providing for new administrative penalties), and authorize Animal Care Services to collect fees related to citations. The ordinance amendments and revisions address critical animal welfare and population management issues and related public health and protection practices and animal care enforcement activities.

Policy Considerations: Establishing City Code provisions which address the community's needs and concerns, including reasonable regulations and requirements for the peace and protection of City neighborhoods, encourage responsible pet ownership, and promote compliance with Animal Care regulations, contribute to the public's health, safety and the welfare of both the City's human and animal populations.

The code revisions and additions proposed by this report support the City's strategic goal to achieve sustainability and enhance livability for all City residents.

Committee/Commission Action: On January 4, 2007, the Law and Legislation Committee approved staff's proposed code modifications and directed staff to forward to the City Council the attached ordinance amendments and additions. In the ordinance amendments presented to the Law and Legislation Committee, they contained provisions authorizing a $10 license transfer fee for dog and cat licenses. After presenting the ordinance amendments to the Law and Legislation Committee, minor changes were made to the ordinance amendments to allow for establishment of license transfer fees by resolution of the City Council.

On February 27, 2007, the Animal Care Citizens Advisory Committee voted to support the ordinance revisions and additions, and various community animal welfare groups have reviewed these proposals with staff and support adoption of the proposed ordinance amendments and additions.

Environmental Considerations: This action has no potential for causing a significant effect on the environment, and therefore is exempt from CEQA review, as stated by the provisions of the California Environmental Quality Act (Section 15061 (b) (3)).

Rationale for Recommendation: The intent of these amendments is to encourage pet owners to spay and neuter their animals and to ensure that residents and community members have the capacity, ownership and motivation to enhance and preserve their neighborhoods by reducing pet overpopulation and promote safe, livable neighborhoods within our community.

Additionally, these revisions provide a tool for the administrative imposition and collection of fines and penalties related to animal licensing, similar to the Code Enforcement process. Fines and penalties collected will be used to offset the enforcement costs.

Financial Considerations: The changes to existing Animal Care Service fees and charges are designated in the attached resolution amending Animal Care Service fees. The goal of establishing fees and penalties and increasing licensing fees is to reduce pet overpopulation by providing regulatory incentives for owners to alter their dogs and cats.

The fees are intended to help recover the actual costs of providing, administering and enforcing the licensing ordinances, and to help offset costs of providing animal care services such as sheltering and medical care.

Regarding the administrative penalties imposed under the proposed ordinances, a minimum of fifty percent (50%) of all penalty fees collected and fifty percent (50%) of all unaltered license fees collected by animal care shall be placed in a sterilization fund and used to finance public or private programs that provide pet spaying and neutering programs to low income individuals or families in 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: _____
Reina J. Schwartz
Director, Department of General Services

Recommendation Approved:

for Ray Kerridge
City Manager

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ATTACHMENT 1

BACKGROUND INFORMATION

Proposed Licensing Fee Schedule

On June 10, 2003, City Council approved a revision in Animal Cares Service's licensing fee schedule. To address the pet overpopulation and enforcement issues attributable to unaltered animals, the fee schedule provided a financial incentive for pet owners to alter their animals by authorizing licensing fees for altered animals at 1/3 the rate of that for unaltered animals.

However, every year, though the numbers are gradually decreasing, thousands of unwanted animals continue to be euthanized by the City of Sacramento. Spaying and neutering of animals is the foremost solution to ending the problem of pet overpopulation.

To address the costs and related public safety and enforcement issues associated with the pet overpopulation problem, staff proposes creating a significantly greater financial incentive for pet owners to spay and neuter their animals while proposing a modest fee increase for altered animals. The proposed fee for licensing an altered animal is approximately 1/10 the rate of that for unaltered animals. In addition, staff is proposing that cats be licensed, currently a legal requirement in the County of Sacramento. Because cats cannot be contained in yards and because they have not been required to be licensed, they have proliferated and created a tremendous workload on our shelter.

Provisions contained in the ordinance also allow for a reduced unaltered license fee (a breeder's fee) for animals that meet stipulated requirements as set forth in the proposed City Code revisions and are not bred during the time the reduced unaltered license is valid.

The proposed license fees were developed with input from numerous animal welfare organizations including the County of Sacramento, Humane Society of the United States, Animal Protection Institute, and the Sacramento Society for the Prevention of Cruelty to Animals. The County of Sacramento Animal Control is also proposing similar license fee increases.

Staff believes imposing a significantly greater licensing fee for unaltered animals and greater penalties for violations of the City's animal regulation ordinances will provide the extra incentive necessary for pet owners to spay and neuter their animals, and thereby reduce the significant problem of pet overpopulation.

Additionally, the overall shelter operation is impacted by housing unaltered animals, as they often require special attention and separate kenneling, contributing to space shortages and behavioral problems. Unaltered animals are also a major cause of nuisances such as aggressive and "running at large" behaviors. Consequently, a portion of the proposed fees is targeted at recovering enforcement and housing costs, medical and surgical expenses and damage caused by these unaltered animals.

The table below provides the current and proposed licensing fee structure:

Altered Dog			Unaltered Dog		Unaltered Dog (Breeder's Fee)
Current Fee		Proposed	Current Fee	Proposed	Proposed
1 year	$12	$15	$36	$150	$36
3 year	$30	$35	$90	$400	N/A
Altered Cat			**Unaltered Cat**		**Unaltered Cat (Breeder's Fee)**
Current Fee		**Proposed**	**Current Fee**	**Proposed**	**Proposed**
1 year	$10	$10	$30	$75	$36
3 year	$25	$25	$75	$200	N/A

Administrative Remedy

As an alternative remedy for handling the citation and enforcement process Animal Care Services proposes:

- Streamlining the citation process by providing an in-house administrative procedure to manage ordinance violations and the appeal process
- Authorizing an in-house collection process for fines and penalties to directly offset the cost of providing animal welfare services by eliminating the external collection agency from the revenue recovery process

This administrative remedy removes the citation process from the court system to an in-house resolution. Under the current system, pet owners pay fines to the court system, which in turn sends only a small percentage of the original fine to the City. If this proposal is adopted, pet owners will pay the entire fine to Animal Care Services, which will directly offset the cost of providing services. This proposal will also provide greater control over license payments because staff will be able to check for unpaid licenses at the time pet owners are paying fines.

After approximately one year of using the new system staff will be able to accurately assess the impact on licensing revenue from this proposal. Effects to existing staff workload and the need for additional staff related to the implementation of the administrative remedy process will require additional review after the procedure is operational, approximately one year subsequent to implementation.

Additional Provisions

Additional provisions of the proposed ordinance amendments impose restrictions on the

advertisement, sale, and transfer of animals, regulate the location and manner of these transactions, prohibit the sale of animals under the age of eight weeks, and delineate licensing requirements for animals involved in these transactions, including cat licensing.

ATTACHMENT 2

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AN ORDINANCE AMENDING SECTIONS 9.44.020, 9.44.490, 9.44.500, 9.44.510, 9.44.520, 9.44.530, AND 9.44.550 OF CHAPTER 9.44 OF THE SACRAMENTO CITY CODE RELATING TO DOG LICENSES

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

SECTION 1.

A. The following definitions are added to Section 9.44.020 of the Sacramento City Code to read as follows:

"Animal care" means the city agency responsible for enforcing animal related laws, including provisions of Chapter 9.44.

"Commercial establishment" means a place where commodities are exchanged, bought or sold. This shall include but not be limited to pet stores or other commercial businesses selling animals.

"Veterinary facilities" means all premises where veterinary medicine, veterinary dentistry, veterinary surgery, and the various branches thereof is being practiced.

B. The definition of "vaccination" as set forth in Section 9.44.020 of the Sacramento City Code is amended to read as follows:

"Vaccination" means the inoculation of an animal with an antirabic vaccine approved by and in the manner prescribed by the State Department of Public Health.

C. Except as modified above, the definitions set forth in Section 9.44.020 of the Sacramento City Code shall remain unchanged and in full force and effect.

SECTION 2.

Section 9.44.490 of the Sacramento City Code is amended to read as follows:

9.44.490 License—Required.

A. It is unlawful for any person to own, harbor or keep within the limits of the

city a dog, over the age of four months, without first obtaining from the city a license authorizing the keeping of such dog within the city.

B. It is unlawful for any person to breed an unaltered dog within the limits of the city while the dog is unlicensed.

C. It is unlawful for any person to own, harbor or keep within the city any dog over the age of four months that has not been sterilized, unless such person holds an unaltered license, unaltered license with reduced fee, or is otherwise exempted as set forth in subsection F or G of this section.

D. A valid license issued pursuant to this section to one owner may be transferred to a new owner for a transfer fee in the amount established by resolution of the City Council.

E. Whenever a license tag is lost, stolen or damaged, the owner shall apply for and obtain a replacement license from animal care services upon payment of the replacement fee.

F. Any owner of an unaltered dog that meets all of the following criteria for each unaltered dog shall annually pay a reduced unaltered license fee upon written proof on an annual basis that the owner meets the following criteria:

1. Registers each dog with the American Kennel Club, United Kennel Club, American Dog Breeders Association, or other valid registry approved by the animal care services division;

2. Be a registered participant in at least one event sanctioned by a national registry and approved by the animal care services division within the previous twelve (12) month period from the date of issuance of the license or a showing that the dog has achieved a title at any time from a purebred dog registry. If an owner can not show proof that the animal has been shown in the previous twelve (12) month period, the department shall have the discretion to determine whether this subsection has been met; and

3. Does not breed the dog during the time the animal holds a reduced unaltered license. It is unlawful for the owner or any person to breed the dog during the time the animal holds a reduced unaltered license. This does not preclude the owner from obtaining an unaltered license at the full rate for the year the owner intends to breed the animal.

G. The following are exempt as specified:

1. No fee shall be charged for dogs specified in Section 9.44.510 of this chapter.

2. Dogs that are certified in writing by a licensed veterinarian as not being suitable subjects for sterilizing due to health or age reasons will be assessed the altered license fee. A veterinarian shall specify in writing how long the animal is not a suitable subject for sterilization. If the animal at a later date is determined by the veterinarian to be suitable for sterilization then the appropriate fee will be assessed.

SECTION 3.

Section 9.44.500 of the Sacramento City Code is amended to read as follows:

9.44.500 Fees—Waiver.

A. Fees and license periods:

1. A license fee in the amount established by resolution of the city council shall be collected by the animal care services manager, other authorized city department, by veterinarians, other persons authorized by the animal care services manager, or other persons authorized by the city manager, from the owner of each dog, male or female, over the age of four months, located within the city.

2. The license period is a maximum one year or three years commencing on the first day of the month the dog receives a rabies vaccination and expiring the last day of the month immediately preceding the month during which the vaccination will become invalid.

3. License fees shall become due and payable on the date of expiration.

4. Upon presentation of proper proof of spaying or neutering certified in writing by a licensed veterinarian, the license fee for such a spayed or neutered dog shall not exceed one-half of the basic fee.

5. 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.

6. Any person who acquires ownership, custody or control of any dog 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.

7. 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 hereby authorized to waive delinquency fees for up to one month per year, in order to encourage citizens with unlicensed dogs to obtain licenses. The animal care services manager shall cause this licensing amnesty program to be publicized throughout the city.

SECTION 4.

Section 9.44.510 of the Sacramento City Code is amended to read as follows:

9.44.510 Fee Exemptions—Guide dogs and law enforcement dogs.

A fee shall not be collected or received for any dog license issued for a guide dog, signal dog, or service dog owned by a totally or partially blind person, or deaf person, or person whose hearing is impaired, or physically handicapped person, or for a dog used in active duty status with a governmental law enforcement agency.

SECTION 5.

Section 9.44.520 of the Sacramento City Code is amended to read as follows:

9.44.520 Vaccination certificate required prior to issuance.

A dog license shall not be issued for any dog unless and until the owner of the dog presents to the animal care services manager or other authorized city department a valid certificate of vaccination obtained pursuant to Section 9.44.620 of this title, or unless he or she is exempted therefrom as provided herein.

SECTION 6.

Section 9.44.530 of the Sacramento City Code is amended to read as follows:

9.44.530 Application—Issuance—Identification tag to be issued.

The person owning or having control of the dog shall furnish to the animal care services manager or other authorized city department a description of the dog 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 dog shall be issued to the owner of the dog. Upon such registration, a license to keep a dog shall be issued to the applicant.

SECTION 7.

Section 9.44.550 of the Sacramento City Code is amended to read as follows:

9.44.550 Identification tag—Not transferable.

It is unlawful for any person to use any identification tag for any other dog than for the one for which it was originally issued. The owner of a licensed dog shall preserve the license upon the premises wherein the registered dog 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 officer or health officer, or police officer the license to keep such dog.

Adopted by the City of Sacramento City Council on by the following vote:

Ayes:

Noes:

Abstain:

Absent:

_____
Mayor Heather Fargo

Attest:

_____
Shirley Concolino, City Clerk

Passed for Publication:
Adopted:
Effective:

ATTACHMENT 3

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AN ORDINANCE AMENDING SECTIONS 9.44.020, 9.44.490, 9.44.500, 9.44.510, 9.44.520, 9.44.530, AND 9.44.550 OF CHAPTER 9.44 OF THE SACRAMENTO CITY CODE RELATING TO DOG LICENSES

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

SECTION 1.

A. The following definitions are added to Section 9.44.020 of the Sacramento City Code to read as follows:

"Animal care" means the city agency responsible for enforcing animal related laws, including provisions of Chapter 9.44.

"Commercial establishment" means a place where commodities are exchanged, bought or sold. This shall include but not be limited to pet stores or other commercial businesses selling animals.

"Veterinary facilities" means all premises where veterinary medicine, veterinary dentistry, veterinary surgery, and the various branches thereof is being practiced.

B. The definition of "vaccination" as set forth in Section 9.44.020 of the Sacramento City Code is amended to read as follows:

"Vaccination" means the inoculation of an animal with ~~by a licensed veterinarian,~~ an antirabic vaccine approved by and in the manner prescribed by the State Department of Public Health.

C. Except as modified above, the definitions set forth in Section 9.44.020 of the Sacramento City Code shall remain unchanged and in full force and effect.

SECTION 2.

Section 9.44.490 of the Sacramento City Code is amended to read as follows:

9.44.490 License—Required.

A. It is unlawful for any person to ~~maintain~~ own, harbor or keep within the limits of the city a dog, over the age of four months, without first obtaining from the city a license authorizing the keeping of such dog within the city.

B. It is unlawful for any person to breed an unaltered dog within the limits of the city while the dog is unlicensed.

C. It is unlawful for any person to own, harbor or keep within the city any dog over the age of four months that has not been sterilized, unless such person holds an unaltered license, unaltered license with reduced fee, or is otherwise exempted as set forth in subsection F or G of this section.

D. A valid license issued pursuant to this section to one owner may be transferred to a new owner for a transfer fee in the amount established by resolution of the City Council.

E. Whenever a license tag is lost, stolen or damaged, the owner shall apply for and obtain a replacement license from animal care services upon payment of the replacement fee.

F. Any owner of an unaltered dog that meets all of the following criteria for each unaltered dog shall annually pay a reduced unaltered license fee upon written proof on an annual basis that the owner meets the following criteria:

1. Registers each dog with the American Kennel Club, United Kennel Club, American Dog Breeders Association, or other valid registry approved by the animal care services division;

2. Be a registered participant in at least one event sanctioned by a national registry and approved by the animal care services division within the previous twelve (12) month period from the date of issuance of the license or a showing that the dog has achieved a title at any time from a purebred dog registry. If an owner can not show proof that the animal has been shown in the previous twelve (12) month period, the department shall have the discretion to determine whether this subsection has been met; and

3. Does not breed the dog during the time the animal holds a reduced unaltered license. It is unlawful for the owner or any person to breed the dog during the time the animal holds a reduced unaltered license. This does not preclude the owner from obtaining an unaltered license at the full rate for the year the owner intends to breed the animal.

G. The following are exempt as specified:

1. No fee shall be charged for dogs specified in Section 9.44.510 of this chapter.

2. Dogs that are certified in writing by a licensed veterinarian as not being suitable subjects for sterilizing due to health or age reasons will be assessed the altered license fee. A veterinarian shall specify in writing how long the animal is not a suitable subject for sterilization. If the animal at a later date is determined by the

veterinarian to be suitable for sterilization then the appropriate fee will be assessed.

SECTION 3.

Section 9.44.500 of the Sacramento City Code is amended to read as follows:

9.44.500 Fees~~—Penalties--Waiverof Penalties~~.

A. Fees and license periods:

1. A license fee in the amount established by resolution of the city council shall be collected by the ~~chief~~ animal care services manager, other authorized city department ~~control officer~~, by veterinarians, other persons authorized by the animal care services manager, or other persons authorized by the city manager, from the owner of each dog, male or female, over the age of four months, located within the city.

2. The license period is a maximum one year or three years commencing on the first day of the month the dog receives a rabies vaccination and expiring the last day of the month immediately preceding the month during which the vaccination will become invalid.

3. License fees shall become due and payable on the date of expiration.

4. Upon presentation of proper proof of spaying or neutering certified in writing by a licensed veterinarian, the license fee for such a spayed or neutered dog shall ~~be~~ not exceed one-half of the basic fee.

5. 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.

6. Any person who acquires ownership, custody or control of any dog 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.

7. 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 ~~chief~~ animal ~~control officer~~ care services manager is hereby authorized to waive delinquency fees for up to one month per year, in order to encourage citizens with unlicensed dogs to obtain licenses. The animal ~~chief~~ animal ~~control officer~~ care services manager shall cause this licensing amnesty program to be publicized throughout the city.

SECTION 4.

Section 9.44.510 of the Sacramento City Code is amended to read as follows:

9.44.510 Fee Exemptions—Guide dogs and law enforcement dogs.

A fee shall not be collected or received for any dog license issued for a guide dog, signal dog, or service dog owned by a totally or partially blind person, or deaf person, or person whose hearing is impaired, or physically handicapped person, or for a dog used in active duty status with a governmental law enforcement agency.

SECTION 5.

Section 9.44.520 of the Sacramento City Code is amended to read as follows:

9.44.520 Vaccination certificate required prior to issuance.

A dog license shall not be issued for any dog unless and until the owner of the dog presents to the ~~chief~~ animal ~~control officer~~ care services manager or other authorized city department a valid certificate of vaccination obtained pursuant to Section 9.44.620 of this title, or unless he or she is exempted therefrom as provided herein.

SECTION 6.

Section 9.44.530 of the Sacramento City Code is amended to read as follows:

9.44.530 Application—Issuance—Identification tag to be issued.

The person owning or having control of the dog shall furnish to the ~~chief~~ animal ~~control officer~~ care services manager or other authorized city department a description of the dog sufficient for identification, which description shall be entered in a record kept by the ~~chief~~ animal ~~control officer~~ care services manager for that purpose. A metallic or plastic identification tag having a number corresponding with the registration upon the dog shall be issued to the owner of the dog. Upon such registration, a ~~permit~~ license to keep a dog shall be issued to the applicant.

SECTION 7.

Section 9.44.550 of the Sacramento City Code is amended to read as follows:

9.44.550 Identification tag—Not transferable.

It is unlawful for any person to use any identification tag for any other dog than for the one for which it was originally issued. The owner of a licensed dog shall preserve the license ~~permit~~ upon the premises wherein the registered dog is kept and shall, upon

demand of the ~~chief~~ animal ~~control officer~~ care services manager, or any health officer, or a police officer of the city, show to such animal ~~control~~ care officer or health officer, or police officer the license ~~permit~~ to keep such dog.

Adopted by the City of Sacramento City Council on by the following vote:

Ayes:

Noes:

Abstain:

Absent:

_____
Mayor Heather Fargo

Attest:

_____
Shirley Concolino, City Clerk

Passed for Publication:
Adopted:
Effective:

ATTACHMENT 4

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AN ORDINANCE AMENDING SECTIONS 9.44.430, 9.44.440, 9.44.450, 9.44.460 AND 9.44.480 OF CHAPTER 9.44 OF THE SACRAMENTO CITY CODE RELATING TO CAT LICENSES

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

SECTION 1.

Section 9.44.430 of the Sacramento City Code is amended to read as follows:

9.44.430 License—Required.

A. It is unlawful for any person to own, harbor or keep within the limits of the city a cat, over the age of four months, without first obtaining from the city a license authorizing the keeping of such cat within the city.

B. It is unlawful for any person to breed an unaltered cat within the limits of the city while the cat is unlicensed.

C. It is unlawful for any person to own, harbor or keep within the city any cat over the age of four months that has not been sterilized, unless such person holds an unaltered license, unaltered license with reduced fee, or is otherwise exempted as set forth in subsection G of this section.

D. A valid license issued pursuant to this section to one owner may be transferred to a new owner for a transfer fee in the amount established by resolution of the City Council.

E. Whenever a license tag is lost, stolen or damaged, the owner shall apply for and obtain a replacement license from animal care services upon payment of the replacement fee.

F. Any owner of an unaltered cat that meets all of the following criteria for each unaltered cat shall annually pay a reduced unaltered license fee upon written proof on an annual basis that the owner meets the following criteria:

1. Register each cat with the International Cat Association, the Cat Fanciers Association, or other valid registry approved by the animal care services division;

2. Be a registered participant in at least one event sanctioned by a

national registry and approved by the animal care services division within the previous twelve (12) month period from the date of issuance of the license or a showing that the cat has achieved at any time a title from a purebred cat registry. In the event that an owner can not show proof that the animal has been shown in the previous twelve (12) month period, the department shall have the discretion to determine whether this subsection has been met; and

3. Does not breed the cat during the time the animal holds a reduced unaltered license. It is unlawful for the owner or any person to breed the cat during the time the animal holds a reduced unaltered license. This does not preclude the owner from obtaining an unaltered license at the full rate for the year the owner intends to breed the animal.

G. The following are exempt as specified:

Cats that are certified in writing by a licensed veterinarian as not being suitable subjects for sterilizing due to health or age reasons will be assessed the altered license fee. A veterinarian shall specify in writing how long the animal is not a suitable subject for sterilization. If the animal at a later date is determined by the veterinarian to be suitable for sterilization then the appropriate fee will be assessed.

SECTION 2.

Section 9.44.440 of the Sacramento City Code is amended to read as follows:

9.44.440 Fees-Waiver.

A. Fees and license periods:

1. A license fee in the amount established by resolution of the city council shall be collected by the animal care services manager, other persons authorized by the animal care services manager, other authorized city department, or other persons authorized by the city manager, from the owner of each cat, male or female, over the age of four months, located within the city.

2. The license period is a maximum one year or three years, commencing on the first day of the month the cat receives a rabies vaccination and expiring the last day of the month immediately preceding the month during which the vaccination will become invalid.

3. License fees shall become due and payable on the date of expiration.

4. Upon presentation of proper proof of spaying or neutering certified in writing by a licensed veterinarian, the license fee for such spayed or neutered cat shall not exceed one-half of the basic fee.

5. 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.

6. Any person who acquires ownership, custody or control of any cat 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.

7. 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 hereby authorized to waive delinquency fees for up to one month per year, in order to encourage citizens with unlicensed dogs to obtain licenses. The animal care services manager shall cause this licensing amnesty program to be publicized throughout the city.

SECTION 3.

Section 9.44.450 of the Sacramento City Code is amended to read as follows:

9.44.450 Vaccination certificate required prior to license.

A cat license shall not be issued for any cat unless and until the owner of the cat presents to the animal care services manager or other authorized city department a valid certificate of vaccination issued by a licensed veterinarian, or as provided through vaccination clinics, with an approved anti-rabies vaccine approved by the United States Department of Agriculture.

SECTION 4.

Section 9.44.460 of the Sacramento City Code is 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 chief animal control officer 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.

SECTION 5.

Section 9.44.480 of the Sacramento City Code is 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 control officer or health office, or police officer the license certificate to maintain such cat.

Adopted by the City of Sacramento City Council on by the following vote:

Ayes:

Noes:

Abstain:

Absent:

_____
Mayor Heather Fargo

Attest:

_____
Shirley Concolino, City Clerk

Passed for Publication:
Adopted:
Effective:

ATTACHMENT 5

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AN ORDINANCE AMENDING SECTIONS 9.44.430, 9.44.440, 9.44.450, 9.44.460 AND 9.44.480 OF CHAPTER 9.44 OF THE SACRAMENTO CITY CODE RELATING TO CAT LICENSES

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

SECTION 1.

Section 9.44.430 of the Sacramento City Code is amended to read as follows:

9.44.430 License~~—Voluntary~~Required.

~~Any person who maintains, within the limits of the city, a cat over the age of four months, and as permitted by Section 9.44.370(B) of this chapter, may upon submission of proof of a rabies vaccination, certified by a licensed veterinarian, obtain a license certificate and tag.~~

~~Obtaining such a license shall be optional on the part of the owner.~~

A. It is unlawful for any person to own, harbor or keep within the limits of the city a cat, over the age of four months, without first obtaining from the city a license authorizing the keeping of such cat within the city.

B. It is unlawful for any person to breed an unaltered cat within the limits of the city while the cat is unlicensed.

C. It is unlawful for any person to own, harbor or keep within the city any cat over the age of four months that has not been sterilized, unless such person holds an unaltered license, unaltered license with reduced fee, or is otherwise exempted as set forth in subsection G of this section.

D. A valid license issued pursuant to this section to one owner may be transferred to a new owner for a transfer fee in the amount established by resolution of the City Council..

E. Whenever a license tag is lost, stolen or damaged, the owner shall apply for and obtain a replacement license from animal care services upon payment of the replacement fee.

F. Any owner of an unaltered cat that meets all of the following criteria for each unaltered cat shall annually pay a reduced unaltered license fee upon written proof

on an annual basis that the owner meets the following criteria:

1. Register each cat with the International Cat Association, the Cat Fanciers Association, or other valid registry approved by the animal care services division;

2. Be a registered participant in at least one event sanctioned by a national registry and approved by the animal care services division within the previous twelve (12) month period from the date of issuance of the license or a showing that the cat has achieved at any time a title from a purebred cat registry. In the event that an owner can not show proof that the animal has been shown in the previous twelve (12) month period, the department shall have the discretion to determine whether this subsection has been met; and

3. Does not breed the cat during the time the animal holds a reduced unaltered license. It is unlawful for the owner or any person to breed the cat during the time the animal holds a reduced unaltered license. This does not preclude the owner from obtaining an unaltered license at the full rate for the year the owner intends to breed the animal.

G. The following are exempt as specified:

Cats that are certified in writing by a licensed veterinarian as not being suitable subjects for sterilizing due to health or age reasons will be assessed the altered license fee. A veterinarian shall specify in writing how long the animal is not a suitable subject for sterilization. If the animal at a later date is determined by the veterinarian to be suitable for sterilization then the appropriate fee will be assessed.

SECTION 2.

Section 9.44.440 of the Sacramento City Code is amended to read as follows:

9.44.440 Fees-Waiver.

A. Fees and license periods:

1. A license fee in the amount established by resolution of the city council shall be collected by the ~~chief~~ animal ~~control officer~~ care services manager, other persons authorized by the animal care services manager, ~~or~~ other authorized city department, or other persons authorized by the city manager, from the owner of each cat, male or female, over the age of four months, located within the city.

2. The license period is a maximum one year or three years, commencing on the first day of the month the cat receives a rabies vaccination and expiring the last day of the month immediately preceding the month during which the vaccination will become invalid.

3. License fees shall become due and payable on the date of expiration.

4. Upon presentation of proper proof of spaying or neutering certified

in writing by a licensed veterinarian, the license fee for such spayed or neutered cat shall ~~be~~ not exceed one ~~third~~ half of the basic fee.

5. 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.

6. Any person who acquires ownership, custody or control of any cat 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.

7. 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 hereby authorized to waive delinquency fees for up to one month per year, in order to encourage citizens with unlicensed dogs to obtain licenses. The animal care services manager shall cause this licensing amnesty program to be publicized throughout the city.

SECTION 3.

Section 9.44.450 of the Sacramento City Code is amended to read as follows:

9.44.450 Vaccination certificate required prior to license.

A cat license shall not be issued for any cat unless and until the owner of the cat presents to the ~~chief~~ animal ~~control officer~~ care services manager or other authorized city department a valid certificate of vaccination issued by a licensed veterinarian, or as provided through vaccination clinics, with an approved anti-rabies vaccine approved by the United States Department of Agriculture.

SECTION 4.

Section 9.44.460 of the Sacramento City Code is 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 ~~control office~~ 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 chief animal control officer 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.

SECTION 5.

Section 9.44.480 of the Sacramento City Code is 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 ~~chief~~ animal ~~control officer~~ care services manager, or any health officer, or a police officer of the city, show to such animal control officer or health office, or police officer the license certificate to maintain such cat.

Adopted by the City of Sacramento City Council on by the following vote:

Ayes:

Noes:

Abstain:

Absent:

Mayor Heather Fargo

Attest:

Shirley Concolino, City Clerk

Passed for Publication:
Adopted:
Effective:

ATTACHMENT 6

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AN ORDINANCE AMENDING SECTION 9.44.210 OF CHAPTER 9.44 OF THE SACRAMENTO CITY CODE RELATING TO CRIMINAL PENALTIES, AND ADDING SECTION 9.44.215 TO ARTICLE II OF CHAPTER 9.44 RELATING TO ADMINISTRATIVE PENALTIES

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

SECTION 1.

Section 9.44.210 of the Sacramento City Code is amended to read as follows:

9.44.210 Violation-Criminal Penalties.

A. Any person violating Section 9.44.100, 9.44.660 or 9.44.770 of this chapter is guilty of a misdemeanor punishable as set forth in Section 1.28.010 of this code. Any person violating Section 9.44.680 of this chapter is guilty of a misdemeanor punishable as set forth in Section 9.44.680.

B. Any person violating subsection (A) or (C) of Section 9.44.490 of this chapter, or subsection (A) or (C) of Section 9.44.430 of this chapter is guilty of an infraction, and shall be subject to the following: upon the first violation, a fine of three hundred dollars ($300.00) for each animal with respect to which there is a violation, and a second or subsequent violation, a fine of not less than five hundred ($500.00) for each animal with respect to which there is a violation. If the person no longer possesses the animal, he or she is still responsible for any and all fines assessed to him or her.

C. Any person violating subsection (B) or (F)(3) of Section 9.44.490 of this chapter, or subsection (B) or (F)(3) of Section 9.44.430 of this chapter is guilty of an infraction, and shall be subject to the following: upon the first violation, a fine of five hundred dollars ($500.00) for each animal with respect to which there is a violation, and a second or subsequent violation, a fine of not less than one thousand dollars ($1000.00) for each animal with respect to which there is a violation. If the person no longer possesses the animal, he or she is still responsible for any and all fines assessed to him or her.

D. Any person violating any other subsection of Section 9.44.490, any other subsection of Section 9.44.430, any other section of Article IV of this chapter, or any other section of Article V of this chapter is guilty of an infraction, and shall be subject to

the following: upon the first violation, a fine of one hundred dollars ($100.00) for each animal with respect to which there is a violation, and a second or subsequent violation, a fine of not less than five hundred ($500.00) for each animal with respect to which there is a violation. If the person no longer possesses the animal, he or she is still responsible for any and all fines assessed to him or her.

E. Any person violating any other provision of this chapter is guilty of an infraction.

F. Every person violating any provision of this chapter shall be deemed guilty of a separate offense for each day, or portion thereof, during which such violation continues and shall be punishable therefor as provided in this section.

SECTION 2.

Section 9.44.215 is added to Article II of Chapter 9.44 of the Sacramento City Code to read as follows:

9.44.215 Violation-Administrative Penalties

In addition to criminal sanctions and other remedies set forth in this code, the city may impose administrative penalties for all violations of this chapter. Administrative penalties shall be imposed, enforced, collected and reviewed in compliance with the provisions of Section 1.28.010 of this code. However, for the specific violations listed in the subsections of this section, the amount of the administrative penalty shall be as stated in that subsection rather than Section 1.28.010 of this code. For all other violations of this chapter not stated in the subsections of this section, the amount of the administrative penalty shall be determined as stated in subsection (D)(3)(a)(b)(c) and (d) of Section 1.28.010 of this code.

A. Any person violating subsection (A) or (C) of Section 9.44.490 of this chapter, or subsection (A) or (C) of Section 9.44.430 of this chapter shall be subject to the following administrative penalties: upon the first violation, a fine of three hundred dollars ($300.00) for each animal with respect to which there is a violation. If the person complies with the applicable section within fourteen (14) days after receiving notice of said violation and presents proof of compliance to the animal care services manager, the fine shall be waived; upon a second or subsequent violation, a fine of not less than five hundred ($500.00) for each animal with respect to which there is a violation. If the person no longer possesses the animal, he or she is still responsible for any and all fines assessed to him or her.

B. Any person violating subsection (B) or (F)(3) of Section 9.44.490 of this chapter, or subsection (B) or (F)(3) of Section 9.44.430 of this chapter shall be subject to the following administrative penalties: upon the first violation, a fine of five hundred dollars ($500.00) for each animal with respect to which there is a violation, and a second or subsequent violation, a fine of not less than one thousand dollars ($1000.00) for each animal with respect to which there is a violation. If the person no longer possesses the animal, he or she is still responsible for any and all fines assessed to him

or her.

C. Any person violating any other subsection of Section 9.44.490, any other subsection of Section 9.44.430, any other section of Article IV, or any other section of Article V shall be subject to the following administrative penalties: upon the first violation, a fine of one hundred dollars ($100.00) for each animal with respect to which there is a violation. If the person complies with the applicable section within fourteen (14) days after receiving notice of said violation and presents proof of compliance to the animal care services manager, the fine shall be waived; upon a second or subsequent violation, a fine of not less than five hundred ($500.00) for each animal with respect to which there is a violation. In the event that the person no longer possesses the animal, he or she is still responsible for any and all fines assessed to him or her.

D. A minimum of fifty percent (50%) of all penalty fees collected pursuant to this section and fifty percent (50%) of all unaltered license fees collected by animal care shall be placed in a sterilization fund and used to finance public or private programs that provide sterilization programs to low income individuals or families in the city.

Adopted by the City of Sacramento City Council on by the following vote:

Ayes:

Noes:

Abstain:

Absent:

_____
Mayor Heather Fargo

Attest:

_____
Shirley Concolino, City Clerk

Passed for Publication:
Adopted:
Effective:

ATTACHMENT 7

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AN ORDINANCE AMENDING SECTION 9.44.210 OF CHAPTER 9.44 OF THE SACRAMENTO CITY CODE RELATING TO CRIMINAL PENALTIES, AND ADDING SECTION 9.44.215 TO ARTICLE II OF CHAPTER 9.44 RELATING TO ADMINISTRATIVE PENALTIES

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

SECTION 1.

Section 9.44.210 of the Sacramento City Code is amended to read as follows:

9.44.210 Violation-Criminal Penalti~~esy~~.

A. Any person violating Section 9.44.100, 9.44.660 or 9.44.770 of this chapter is guilty of a misdemeanor punishable as set forth in Section 1.28.010 of this code. Any person violating Section 9.44.680 of this ~~title~~ chapter is guilty of a misdemeanor punishable as set forth in Section 9.44.680. ~~Any person violating any other provision of this chapter is guilty of an infraction. Every person violating any provision of this chapter shall be deemed guilty of a separate offense for each day, or portion thereof, during which such violation continues and shall be punishable therefor as provided in this section.~~

B. Any person violating subsection (A) or (C) of Section 9.44.490 of this chapter, or subsection (A) or (C) of Section 9.44.430 of this chapter is guilty of an infraction, and shall be subject to the following: upon the first violation, a fine of three hundred dollars ($300.00) for each animal with respect to which there is a violation, and a second or subsequent violation, a fine of not less than five hundred ($500.00) for each animal with respect to which there is a violation. If the person no longer possesses the animal, he or she is still responsible for any and all fines assessed to him or her.

C. Any person violating subsection (B) or (F)(3) of Section 9.44.490 of this chapter, or subsection (B) or (F)(3) of Section 9.44.430 of this chapter is guilty of an infraction, and shall be subject to the following: upon the first violation, a fine of five hundred dollars ($500.00) for each animal with respect to which there is a violation, and a second or subsequent violation, a fine of not less than one thousand dollars ($1000.00) for each animal with respect to which there is a violation. If the person no longer possesses the animal, he or she is still responsible for any and all fines

assessed to him or her.

D. Any person violating any other subsection of Section 9.44.490, any other subsection of Section 9.44.430, any other section of Article IV of this chapter, or any other section of Article V of this chapter is guilty of an infraction, and shall be subject to the following: upon the first violation, a fine of one hundred dollars ($100.00) for each animal with respect to which there is a violation, and a second or subsequent violation, a fine of not less than five hundred ($500.00) for each animal with respect to which there is a violation. If the person no longer possesses the animal, he or she is still responsible for any and all fines assessed to him or her.

E. Any person violating any other provision of this chapter is guilty of an infraction.

F. Every person violating any provision of this chapter shall be deemed guilty of a separate offense for each day, or portion thereof, during which such violation continues and shall be punishable therefore as provided in this section.

SECTION 2.

Section 9.44.215 is added to Article II of Chapter 9.44 of the Sacramento City Code to read as follows:

9.44.215 Violation-Administrative Penalties

In addition to criminal sanctions and other remedies set forth in this code, the city may impose administrative penalties for all violations of this chapter. Administrative penalties shall be imposed, enforced, collected and reviewed in compliance with the provisions of Section 1.28.010 of this code. However, for the specific violations listed in the subsections of this section, the amount of the administrative penalty shall be as stated in that subsection rather than Section 1.28.010 of this code. For all other violations of this chapter not stated in the subsections of this section, the amount of the administrative penalty shall be determined as stated in subsection (D)(3)(a)(b)(c) and (d) of Section 1.28.010 of this code.

A. Any person violating subsection (A) or (C) of Section 9.44.490 of this chapter, or subsection (A) or (C) of Section 9.44.430 of this chapter shall be subject to the following administrative penalties: upon the first violation, a fine of three hundred dollars ($300.00) for each animal with respect to which there is a violation. If the person complies with the applicable section within fourteen (14) days after receiving notice of said violation and presents proof of compliance to the animal care services manager, the fine shall be waived. Upon a second or subsequent violation, a fine of not less than five hundred ($500.00) for each animal with respect to which there is a violation. If the person no longer possesses the animal, he or she is still responsible for any and all fines assessed to him or her.

B. Any person violating subsection (B) or (F)(3) of Section 9.44.490 of this chapter, or subsection (B) or (F)(3) of Section 9.44.430 of this chapter shall be subject to the following administrative penalties: upon the first violation, a fine of five hundred

dollars ($500.00) for each animal with respect to which there is a violation, and a second or subsequent violation, a fine of not less than one thousand dollars ($1000.00) for each animal with respect to which there is a violation. If the person no longer possesses the animal, he or she is still responsible for any and all fines assessed to him or her.

C. Any person violating any other subsection of Section 9.44.490, any other subsection of Section 9.44.430, any other section of Article IV, or any other section of Article V shall be subject to the following administrative penalties: upon the first violation, a fine of one hundred dollars ($100.00) for each animal with respect to which there is a violation. If the person complies with the applicable section within fourteen (14) days after receiving notice of said violation and presents proof of compliance to the animal care services manager, the fine shall be waived. Upon a second or subsequent violation, a fine of not less than five hundred ($500.00) for each animal with respect to which there is a violation. In the event that the person no longer possesses the animal, he or she is still responsible for any and all fines assessed to him or her.

D. A minimum of fifty percent (50%) of all penalty fees collected pursuant to this section and fifty percent (50%) of all unaltered license fees collected by animal care shall be placed in a sterilization fund and used to finance public or private programs that provide sterilization programs to low income individuals or families in the city.

Adopted by the City of Sacramento City Council on by the following vote:

Ayes:

Noes:

Abstain:

Absent:

_____
Mayor Heather Fargo

Attest:

_____
Shirley Concolino, City Clerk

Passed for Publication:
Adopted:
Effective:

ATTACHMENT 8

ORDINANCE NO.

Adopted by the Sacramento City Council

Date Adopted

AN ORDINANCE ADDING ARTICLE IX TO CHAPTER 9.44 OF THE SACRAMENTO CITY CODE RELATING TO THE SALE AND ADVERTISEMENT OF DOGS AND CATS

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

SECTION 1.

Article IX is added to Chapter 9.44 of the Sacramento City Code to read as follows:

Article IX Sale and Advertisement of Dogs and Cats

9.44.780 Sale of puppies and kittens

A. No puppy or kitten shall be sold or transferred under the age of eight weeks unless, prior to any physical transfer of the puppy or kitten from the seller or transferor to the new owner, the puppy or kitten is approved for sale, as evidenced by written documentation from a veterinarian licensed to practice in California.

B. For the purposes of this section, the sale of a puppy or kitten shall not be considered complete unless and until the seller or transferor physically transfers the puppy or kitten to the new owner.

C. For purposes of this section, a puppy or kitten means an animal that is under the age of eight weeks.

9.44.790 Advertisements for sale and transfer of dogs and cats

A. Any person who advertises to the public the availability of any dog or cat for sale or transfer, whether for compensation or otherwise, shall prominently display the animal's license number in the advertisement except as provided in subsection A(3) of this section.

1. If the person is advertising the sale of a litter of puppies or kittens under the age of four months, the license number of the mother shall be displayed.

2. If the person is advertising the sale of a dog or cat over the age of four months, the license number of the animal that is being sold or transferred shall be displayed.

3. The provisions of this subsection (A) shall not apply to the following:

a. The advertisement for sale of an individual puppy or kitten under the age of four months, provided that the person selling the puppy or kitten shall disclose, upon request of the buyer or animal care personnel the name and address, including city, state and country, of the person from whom the puppy was obtained.

b. Government agencies or animal rescue organizations that have demonstrated to the animal care services manager that they have implemented an ongoing sterilization program as well as an adoption program, or humane societies or societies for the prevention of cruelty to animals if such societies are incorporated under the provisions of California Corporations Code Section 10400 and the Nonprofit Public Benefit Corporation Law in Part 2 of the California Corporations Code, beginning at Section 5110 and successor sections, or to veterinary facilities.

B. The seller of the dog or cat shall provide the dog or cat license number to any purchaser and shall include the license number on any receipt of sale or transfer document. If the animal being sold or transferred is under the age of four months and was bred within the city limits, the seller shall provide the license number of the mother on any receipt of sale or transfer document. If the puppy or kitten was bred from an animal residing outside the city limits, then the seller shall provide the name and address of the source of the dog or cat and any other pertinent information required by the animal care services manager.

C. No person shall present any dog or cat for sale or transfer, whether for compensation or otherwise, in any public place. The term public place shall include but not be limited to streets, highways, sidewalks, carnivals, boardwalks, swap meets, flea markets, outdoor markets, and areas in front of commercial establishments. This shall not apply to government agencies or animal rescue organizations that have demonstrated to the animal care services manager that they have implemented an ongoing sterilization program as well as an adoption program, or humane societies or societies for the prevention of cruelty to animals if such societies are incorporated under the provisions of California Corporations Code Section 10400 and the Nonprofit Public Benefit Corporation Law in Part 2 of the California Corporations Code, beginning at Section 5110 and successor sections, or to veterinary facilities.

D. No person shall present any dog or cat for sale or transfer, whether for compensation or otherwise, at any auction.

E. No person shall transfer any dog or cat as a prize or as an inducement to enter into any contest, lottery, drawing, game, competition, or auction.

F. No person shall give away any dog or cat as an inducement to enter a place of business, or to enter into a business arrangement.

G. A commercial establishment selling locally bred dogs or cats on the premises shall prominently display the license number(s) of the dogs or cats that are being sold in the establishment and any other pertinent information required by the animal care services manager.

1. If the commercial establishment is selling a litter of puppies or kittens under the age of four months, the license number of the mother must be displayed.

2. If the commercial establishment is selling a dog or cat over the age of four months, the license number of the animal that is being sold or transferred must be displayed.

3. If the commercial establishment is selling an individual puppy or kitten under the age of four months, the commercial establishment shall display name and address, including city, state and country, of the person from whom the puppy was obtained.

4. If a commercial enterprise is advertising the commercial enterprise itself and not an animal for sale or transfer then no license number is required to be displayed in said advertisement.

H. A commercial establishment selling dogs or cats on the premises that were bred within the state but not within the city shall make available during regular business hours to animal care personnel the name and address of the source of such dogs or cats and any other pertinent information required by the animal care services manager.

I. Notwithstanding Section 9.44.780, no person shall sell or transfer a dog or cat under the age of four months of age that was bred outside the state without first providing animal care with a California health certificate for each animal intended to be sold or transferred within the city.

Adopted by the City of Sacramento City Council on by the following vote:

Ayes:

Noes:

Abstain:

Absent:

_____
Mayor Heather Fargo

Attest:

_____
Shirley Concolino, City Clerk

Passed for Publication:
Adopted:
Effective:

RESOLUTION NO. 2007 - XXX

Adopted by the Sacramento City Council

March 20, 2007

AMENDING THE CITY OF SACRAMENTO FEE AND CHARGE REPORT TO AMEND FEES FOR ANIMAL CARE SERVICES

BACKGROUND

A. City Code §§ 9.44.140, 9.44.430, 9.44.440, 9.44.490, and 9.44.500 allow license fees and other fees for dogs and cats to be established by resolution of the City Council.

B. To address the costs and related public safety and enforcement issues associated with the pet overpopulation problem, City staff has proposed a new licensing fee schedule that creates a significant financial incentive for pet owners to spay and neuter their animals while presenting a modest fee increase for altered animals. The regulatory goal of increasing licensing fees is to reduce pet overpopulation by providing economic incentives for owners to alter their dogs and cats.

C. The proposed licensing fees were developed with input from numerous animal welfare organizations including the County of Sacramento, Humane Society of the United States, Animal Protection Institute, and the Sacramento Society for the Prevention of Cruelty to Animals.

D. The City's shelter operation is adversely impacted by housing unaltered animals, as they often require special attention and separate kenneling, contributing to space shortages and behavioral problems. Unaltered animals are also a major cause of nuisances such as aggressive and "running at large" behaviors. Consequently, a portion of the proposed fees is targeted at recovering enforcement and housing costs, medical and surgical expenses and damage caused by these unaltered animals.

E. The fees are intended to help recover the actual costs of administering and enforcing the licensing ordinances, and to help offset the costs of providing animal care services, including those mentioned above.

F. The proposed licensing fees bears a reasonable relationship to the social and economic burdens caused by unaltered animals, dog and cat breeding businesses, and pet overpopulation.

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

Section 1. The City of Sacramento Fee and Charge Report is hereby amended to include the following Animal Care Services licensing fee increases.

General Services Department

Fee Name: Animal Care Licensing Fee
Current/Proposed Fees:

Altered Dog			**Unaltered Dog**		**Unaltered Dog (Breeder's Fee)**
Current Fee		**Proposed**	**Current Fee**	**Proposed**	**Proposed**
1 year	$12	$15	$36	$150	$36
3 year	$30	$35	$90	$400	N/A
Altered Cat			**Unaltered Cat**		**Unaltered Cat (Breeder's Fee)**
Current Fee		**Proposed**	**Current Fee**	**Proposed**	**Proposed**
1 year	$10	$10	$30	$75	$36
3 year	$25	$25	$75	$200	N/A