



STAFF REPORT

DATE: NOVEMBER 15, 2011

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: ROD FOSTER, CITY MANAGER

PREPARED BY: STEVE WARD, POLICE CHIEF

SUBJECT: APPROVE AND ADOPT AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON TO AMEND TITLE 7, CHAPTER 7.08 OF THE COLTON MUNICIPAL CODE RELATING TO DOGS AND CATS – DANGEROUS ANIMALS.

RECOMMENDED ACTION

It is recommended that the City Council approve and adopt an ordinance of the City of Colton to amend Title 7, Chapter 7.08 of the Colton Municipal Code Relating to Dogs and Cats – Dangerous Animals.

GOAL STATEMENT

To continue in providing the City of Colton with a customer service friendly method of licensing animals.

BACKGROUND

Historically, the City of Colton has required that the licensing of animals occur once a year in July. This presents issues to new members of the community and health factors for the animal in general.

The current fixed one year licensing period in the City of Colton, places dog owners in the situation where the rabies vaccination and license expiration may not occur simultaneously. New members to the community, who are dog owners, also face this issue. This system requires early revaccination, which many veterinarians have determined to be detrimental to the health of the animal.

ISSUES/ANALYSIS

California Health and Safety Code Section 121690 (b) requires every dog owner to procure its vaccination by a licensed veterinarian with a canine anti-rabies vaccine, not more than once a year, once the dog has reached the age of four (4) months. Sub-section (g) of the Code provides that the license period shall not extend beyond the remaining period of the validity for the current rabies vaccination.

Title 17, California Code of Regulations, Section 2606.4 (c) provides that “in no instances shall a dog license be issued for a period beyond the date upon which revaccination is due except, following primary immunization in a local jurisdiction which is on a fixed one year licensing period...” Section (d) provides that local authorities may require revaccination prior to issuance of a license provided that revaccination against rabies in no instance shall be required sooner than one year (12 months) following a primary immunization or sooner than 2 years (24months) following a vaccination of dogs vaccinated over one year (12 months) of age.

In an effort to alleviate the issues presented, staff recommends an amendment to the animal licensing ordinance, Title 7, Chapter 7.08 of the Colton Municipal Ordinance, to allow for animal licensing to occur at anytime during the calendar year based on the vaccination expiration date. Permanent license numbers (metal tags) will be issued to dog owners for their individual pets. Expirations dates for the license and revaccination dates will be kept within an automated system. Renewal notices will be sent to the owner approximately one month prior to the expiration date.

FISCAL IMPACTS

Potential savings of up to \$800 per year in license tag purchases. In addition, there will be a savings in employee time with regards to the purchasing and issuing process.

ATTACHMENTS

1. Ordinance of the City of Colton to amend Title 7, Chapter 7.08 of the Colton Municipal Code Relating to Dogs and Cats – Dangerous Animals.

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ORDINANCE NO. O-07-11

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLTON
TO AMEND TITLE 7, CHAPTER 7.08 OF THE COLTON MUNICIPAL
CODE RELATING TO DOGS AND CATS – DANGEROUS ANIMALS**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF COLTON DOES
ORDAIN AS FOLLOWS:**

SECTION 1. Section 7.08.010 of Chapter 7.08 of Title 7 of the Colton Municipal Code is hereby amended and replaced in its entirety to read as follows:

“Every person, firm or corporation owning or harboring a dog within the city for a period longer than thirty (30) days shall pay to the city a license fee in an amount to be determined by resolution of the city council. No license to own or harbor a dog as provided in this chapter shall be issued except on application in writing to the finance director of the city as provided in Section 7.08.020.”

SECTION 2. Section 7.08.020 of Chapter 7.08 of Title 7 of the Colton Municipal Code is hereby amended and replaced in its entirety to read as follows:

“The finance director upon receipt of such application and the license fee as set out in Section 7.08.010 shall issue and deliver to such owner or possessor of a license, a receipt certifying the payment of the license fee and setting forth the name and address of the applicant and a brief description of the dog, together with the fact that it has been vaccinated as provided in this chapter and stating the number allotted to such dog, and he shall deliver or cause to be delivered to the applicant a metallic tag which shall set forth the license number allotted to the dog, which tag shall at all times be affixed to the collar, covering, harness or other article worn by such dog.

The finance director shall make a charge in an amount to be determined by resolution of the city council for each duplicate license issued to replace any license issued under the provisions of Sections 7.08.010 through 7.08.150 which has been lost or destroyed.”

SECTION 3. CEQA. The City Council hereby finds that there is no possibility that the Ordinance may have a significant adverse effect on the environment. Therefore, the adoption of the Ordinance is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15061 (b)(3) of the CEQA Guidelines.

SECTION 4. Invalidity. If any sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional or otherwise invalid, such decisions shall not affect the validity of the remaining provisions of this Ordinance.

SECTION 5. Effective Date. This Ordinance shall become effective thirty (30) days after its adoption in accordance with the provisions of California law.

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CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO) ss.
CITY OF COLTON)

I hereby certify that the foregoing is a true copy of an Ordinance adopted by the City Council of the City of Colton at a meeting held on ____, 2011, by the following vote of the City Council:

- AYES:
- NOES:
- ABSENT:
- ABSTAIN:

City Clerk