

ORDINANCE NO. O-15327  
(New Series)

AN ORDINANCE AMENDING CHAPTER IV, ARTICLE 4, DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 44.0300; RETITLING AND REENACTING SECTION 44.0305; AMENDING CHAPTER IV, ARTICLE 1, DIVISION 1, BY REPEALING SECTION 41.01.11 AND AMENDING CHAPTER IV, ARTICLE 2, DIVISION 7, BY AMENDING SECTIONS 42.0701, 42.0702, 42.0703, 42.0704 AND 42.0705, ALL RELATING TO ANIMAL CONTROL AND REGULATION.

WHEREAS, in 1971, The City of San Diego transferred the animal regulation function to the County of San Diego; and

WHEREAS, in 1974, The City of San Diego adopted the County of San Diego's Animal Control Ordinances by reference; and

WHEREAS, the County of San Diego has subsequently made several amendments to its Animal Control Ordinances, requiring that they be readopted; and

WHEREAS, the County of San Diego has amended the County Wild Animal Ordinance to provide for the keeping of wild animals by permit; and

WHEREAS, the County Code provisions concerning kennels were not previously adopted by reference; NOW, THEREFORE,

BE IT ORDAINED, by the Council of The City of San Diego, as follows:

Section 1. That Chapter IV, Article 4, Division 3, of the San Diego Municipal Code be and the same is hereby amended by amending Section 44.0300 to read as follows:

SEC. 44.0300 SAN DIEGO COUNTY ANIMAL CONTROL  
ORDINANCE--ADOPTION BY REFERENCE

(a) The following sections of the County Code of the County of San Diego, California, one copy of which is on file in the office of the City Clerk of The City of San Diego, are hereby adopted as the Animal Control Ordinance of The City of San Diego: Sections 62.601, 62.610, 62.611, 62.612, 62.613, 62.614, 62.615, 62.616, 62.617, 62.618, 62.620, 62.621, 62.622, 62.623, 62.624, 62.630, 62.631, 62.641, 62.642, 62.645, 62.646, 62.647, 62.648, 62.649, 62.660, 62.661, 62.662, 62.663, 62.664, 62.665, 62.666, 62.667, 62.668, 62.669, 62.670, 62.671, 62.672, 62.673, 62.674, 62.675, 62.676, 62.677, 62.678, 62.679, 62.680, 62.682, 62.683, 62.684, and in regard to kennel licensing, 16.101 (less all subsections except (m)), 16.102, 16.103, 16.104, 16.105, 16.106, 16.107, 16.108, 16.109, 16.110, 16.111, 16.112, 16.113, 16.114 and 16.115, all relating to animal control and regulation. Each and all of the regulations, provisions, conditions and terms of said sections are hereby referred to, adopted and made a part hereof as if fully set out in this Division; provided, however, that any of the provisions of said sections as herein adopted which are in conflict with any of the provisions of this Division shall be superseded by the provisions of this Division.

(b) Nothing in this section shall prohibit any person from continuing to maintain a kennel, for seven (7) to sixteen (16) dogs, for a period of one year following the

the effective date of this ordinance; provided that such kennel was in existence on the effective date of this ordinance.

(c) Any person who violates a provision of the San Diego County Code as adopted and incorporated hereinabove shall be charged with a violation of the applicable section of said Code and upon conviction said person shall be punished as prescribed by Section 11.12 of the San Diego Municipal Code.

Section 2. That Chapter IV, Article 4, Division 3, of the San Diego Municipal Code be and the same is hereby amended by retitling and reenacting Section 44.0305 to read as follows:

SEC. 44.0305 WILD ANIMALS

No person shall offer for sale, give away, bring into or maintain within an area coming within the jurisdiction of this ordinance, any lion, tiger, bear, monkey, wolf, cougar, ocelot, wildcat, skunk, venomous or dangerous snake, or other such wild animals (ferae naturae), irrespective of their actual or asserted state of docility, tameness or domesticity. The County Director of Animal Control may impound any such animal and dispose of it in a humane manner in accordance with the applicable provisions of the County Code. This section shall not apply to legally operated zoos or circuses unless the County Veterinarian or the San Diego Director of Animal Control shall give forty-eight (48) hours advance notice that by reason of inadequate caging or other means of protection of the public from

such animals or by the ineffectiveness of sanitation measures or by a particular hazard connected with the animal or animals involved, the public health and welfare will be endangered.

Section 3. That Chapter IV, Article 1, Division 1, of the San Diego Municipal Code be and the same is hereby amended by repealing the following section:

SEC. 41.01.11 DOG KENNEL

Section 4. That Chapter IV, Article 2, Division 7, of the San Diego Municipal Code be and the same is hereby amended by amending Sections 42.0701, 42.0702, 42.0703, 42.0704 and 42.0705 to read as follows:

SEC. 42.0701 PET SHOPS--DEALING IN ANIMAL PETS  
REGULATED

Health regulated businesses shall include the business of trafficking in or raising, selling or exchanging any birds, cats, dogs or other pets, all of which, for the purpose of this Division, are called "pets."

SEC. 42.0702 PET SHOPS--CONFORMANCE TO ZONING  
REQUIRED

No Health Permit for the activities included in this Division shall be valid unless it shall have been approved by the Planning Commission as not being in conflict with ordinances and local regulations concerning planning and zoning.

SEC. 42.0703 PET SHOPS--PROXIMITY TO RESIDENCE--  
SOUNDPROOFING

All animals in pet shops shall be kept not less than twenty (20) feet from any door, window or opening

of any private dwelling. If, however, any pet shop has been established in a congested area, the animals shall be held in a soundproof room.

SEC. 42.0704 PET SHOPS--CARE OF PETS

Suitable holding facilities shall be provided to protect pets from inclement weather.

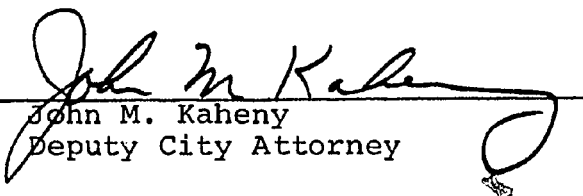
Adequate feed and water shall be furnished to all pets. All feed shall be stored in ratproof containers tightly covered and protected against rats and other contamination. Meat shall be kept in a properly maintained refrigerator until used.

SEC. 42.0705 PET SHOPS--SANITARY REGULATIONS

The floors of all structures used for the purpose of housing or keeping pets must be impervious to moisture and be kept in a sanitary condition. All such structures must be whitewashed or painted a light color and maintained in good repair at all times.

Section 5. This ordinance shall take effect and be in force on the thirtieth day from and after its passage.

APPROVED: JOHN W. WITT, City Attorney

By   
John M. Kaheny  
Deputy City Attorney

JMK:rc:540  
5/9/80 REVISED 7/28/80  
Or. Dept.: Manager

Passed and adopted by the Council of The City of San Diego on SEP 15 1980,  
 by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Bill Mitchell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Lowery	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Leon L. Williams	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Fred Schnaubelt	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Larry Stirling	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lucy Killea	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Pete Wilson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY: PETE WILSON  
 Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR  
 City Clerk of The City of San Diego, California.  
 By Barbara Berridge Deputy.

I HEREBY CERTIFY that the foregoing ordinance was not finally passed until twelve calendar days had elapsed between the day of its introduction and the day of its final passage, to wit, on SEP 2 1980, and on SEP 15 1980.

~~I FURTHER CERTIFY that said ordinance was read in full prior to its final passage.~~

I FURTHER CERTIFY that the reading of said ordinance in full was dispensed with by a vote of not less than a majority of the members elected to the Council, and that there was available for the consideration of each member of the Council and the public prior to the day of its passage a written or printed copy of said ordinance.

CHARLES G. ABDELNOUR  
 City Clerk of The City of San Diego, California.  
 By Barbara Berridge Deputy.

Office of the City Clerk, San Diego, California

Ordinance Number 0-15327 Adopted SEP 15 1980

CERTIFICATE OF PUBLICATION

RECEIVED  
CITY CLERK'S OFFICE  
1980 OCT -1 PM 2:41  
SAN DIEGO, CALIF.

San Diego, City of  
12th floor  
202 C St., San Diego, CA 92101  
ATTN: Barbara Berridge

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER IV, ARTICLE 4, DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 44.0300; RETITLING AND REENACTING SECTION 44.0305; AMENDING CHAPTER IV, ARTICLE 1, DIVI-

ETC. \_\_\_\_\_

I, Camille Simpson, am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the San Diego Daily Transcript, a newspaper of general circulation, printed and published daily, except Saturdays and Sundays, in the City of San Diego, County of San Diego, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of San Diego, State of California, under the date of January 23, 1909, Decree No. 14894; and the

ORDINANCE NO. O-15327 (New Series)

is a true and correct copy of which the annexed is a printed copy and was published in said newspaper on the following date(s), to wit:  
September 29, 1980

I certify under penalty of perjury that the foregoing is true and correct.

Dated at San Diego, California this 29th day of Sept., 19 80.

Camille Simpson  
(Signature)

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This ordinance incorporates into the San Diego Municipal Code the County of San Diego Animal Control ordinances. It prohibits, with limited exceptions, the keeping of wild animals in the City of San Diego. It also transfers the responsibility for inspecting kennels from the County Health Department to the County director of Animal Control.  
A complete copy of the Ordinance is available for inspection in the Office of the City Clerk of the City of San Diego, 12th Floor, City Administration Building, 202 "C" Street, San Diego, CA 92101.  
Introduced on September 2, 1980  
Passed and adopted by the Council of The City of San Diego on September 15, 1980.  
AUTHENTICATED BY:  
PETE WILSON,  
Mayor of The City of San Diego, California.  
CHARLES G. ABDELNOUR,  
City Clerk of The City of San Diego, California.  
(BEAL)  
By BARBARA BERRIDGE, Deputy  
Publish September 29, 1980

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