

(O-90-174)

ORDINANCE NUMBER O- 17497 (NEW SERIES)

ADOPTED ON JUL 16 1990

AN ORDINANCE AMENDING CHAPTER IV, ARTICLE 4,
DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY
AMENDING SECTION 44.0305, RELATING TO WILD
ANIMALS AND OTHER PROHIBITED SPECIES.

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 44.0305 to read as follows:

SEC. 44.0305 Wild Animals and Other Prohibited Species

(a) 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, ferret or other members of the family mustelidae, venomous reptile; any "rear fanged" snake (Family Colubridae); any lizards of the Family Helodermedae (gila monsters and Mexican beaded lizards); any monitor lizard species (Family Varanidae) that attain an adult weight over ten (10) pounds or an adult overall length over three (3) feet; any member of the Order Crocabilia, or other such wild animals (ferae naturea), 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.

(b) Exceptions

1 and 2 No Change.

3. Any person who keeps any boa and/or python snakes less than 3½ feet and/or 15 pounds or the owner or caretaker of any boa and/or python greater than 3½ feet and/or 15 pounds who complies with all federal, state and local laws, regulations, and permit requirements affecting such animals. The owner or caretaker of any such snakes greater than 3½ feet and/or 15 pounds shall also:

a. Keep the animals at all times in cages or enclosures of such size and construction or confined in such a manner as to preclude the possibility of escape. Such cages, enclosures, or confinement shall be of such size as to permit the animals reasonable freedom of movement;

b. Keep the cages or enclosures in a clean and sanitary condition at all times;

c. Provide the animal(s) with adequate food, water, shelter, and veterinary care;

d. Keep the animal(s) in a manner so as not to threaten or annoy any person of normal sensitivity;

e. Take adequate safeguards to prevent unauthorized access to the animals and to preserve animal and public health, safety, and welfare. In the event of an escape, immediately notify the Department and make every reasonable effort to recapture the animal(s);

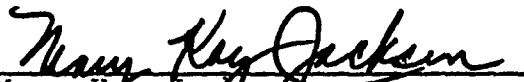
f. Upon request by the Department make his/her animal(s), premises, facilities, equipment, and any necessary permit(s) available for inspection for the purpose of ascertaining compliance with the provisions of this section;

g. Reimburse the Department for all costs incurred in enforcing the provisions of this section when a violation is found, and shall be responsible for any injury, or any damage to private or public property caused by the animal(s).

(c) Location and Transportation. Such animals shall be kept upon or transported in escape-proof enclosures to private property which the animals' owner or the person who has a right to control the animal, owns or has a right to possess or use. All other transportation is prohibited unless authorized by the Department.

Section 2. 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 
Mary Kay Jackson
Deputy City Attorney

MKJ:mrh
05/01/90
05/30/90 COR.COPY
Or.Dept:Mgr.
O-90-174
Form=o.code

JUL 16 1990

Passed and adopted by the Council of The City of San Diego on.....
by the following vote:

Council Members	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ron Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
John Hartley	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
H. Wes Pratt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Linda Bernhardt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
J. Bruce Henderson	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Bob Filner	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor Maureen O'Connor	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUTHENTICATED BY:

MAUREEN O'CONNOR

Mayor of The City of San Diego, California.

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

(Seal)

By Brenda R. Barner, 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

JUL 02 1990

JUL 16 1990

, and on

~~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.

(Seal)

By Brenda R. Barner, Deputy.

Office of the City Clerk, San Diego, California

Ordinance 0-17497

JUL 16 1990

Number Adopted.....

RECEIVED

90 JUN 20 PM 3:41

CITY CLERKS OFFICE
SAN DIEGO, CA

CERTIFICATE OF PUBLICATION

CITY CLERK'S OFFICE
CITY ADM. BLDG., 2ND FLOOR
SAN DIEGO, CA. 92101

IN THE MATTER OF

NO.

AN ORDINANCE AMENDING CHAPTER IV, ARTICLE 4, DIVISION
3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION
44.0305, RELATING TO WILD ANIMALS AND OTHER PROHIBITED SPECIES.

ORDINANCE NUMBER O-17497 (NEW SERIES)
AN ORDINANCE AMENDING CHAPTER IV, ARTICLE 4, DIVISION 3, OF THE SAN DIEGO MUNICIPAL CODE BY AMENDING SECTION 44.0305, RELATING TO WILD ANIMALS AND OTHER PROHIBITED SPECIES.
This ordinance amends Section 44.0305 by deleting the ambiguous word "dangerous" and allowing the keeping of some snakes in the City. It also imposes additional requirements for the maintenance of large snakes. This language conforms closely with that of the San Diego County Code, Animal Regulation sections.
INTRODUCED ON JULY 02, 1990
Passed and Adopted by the Council of The City of San Diego on JULY 16, 1990
AUTHENTICATED BY:
MAUREEN O'CONNOR
Mayor of The City of San Diego, CA
CHARLES G. ABDELNOUR
City Clerk of The City of San Diego, CA
By RHONDA B. BARNES, Deputy
Pub. July 30 1990

I, THOMAS D. KELLEHER, 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

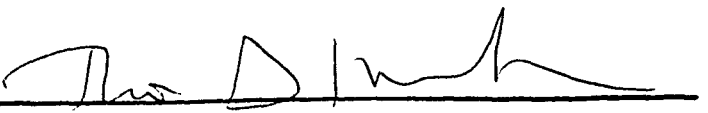
ORDINANCE NUMBER O-17496 (NEW SERIES)

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:

JULY 30

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

Dated at San Diego, California this 30TH day of JULY, 1990


(Signature)

2' x 2 = 47.36