

RESOLUTION NUMBER R- 311733

DATE OF FINAL PASSAGE MAY 10 2018

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SAN DIEGO APPROVING FEES AND FINES RELATING TO
ANIMAL CONTROL REGULATIONS AND SERVICES.

WHEREAS, the California Health and Safety Code (H&S Code) and the California Food and Agriculture Code (F&A Code) establish some animal control regulations, and authorize a city to adopt its own comprehensive regulations related to animal control within its jurisdiction; and

WHEREAS, the City has adopted, and incorporated as the Animal Control Ordinance of the City of San Diego, the San Diego County Code of Regulatory Ordinances (Title 6, Division 2, Chapter 6) (County Code) that govern animal control regulations related to dog licensing; rabies vaccinations; treatment and isolation of diseased animals; impoundment of strays, guard dogs, potentially dangerous dogs, cats, and other animals; and

WHEREAS, the H&S Code, F&A Code, and County Code authorize the City to charge fees and fines for animal control services; and

WHEREAS, previously the City of San Diego (City) has contracted with the County of San Diego (County) through the County's Department of Animal Services to provide for animal control services within the City limits; and

WHEREAS, under the contract the County collected license and other fees on behalf of the City in accordance with the County's Animal Services Fee Resolution (Resolution No. 06-187); and

WHEREAS, the City will no longer be in a contract with the County for animal control and other services; and

WHEREAS, the City will provide animal control services within the City limits; and

WHEREAS, the City wishes to establish fees and fines associated with the use of animal control services; and

WHEREAS, it is the policy of the City to establish fees to recover the costs of providing services in accordance with the City of San Diego Administrative Regulation 95.25 and Council Policy 100-05; and

WHEREAS, it is the policy of the City to review fees to ensure that all reasonable costs incurred in providing these services are being recovered; however, it is also the policy that fees are generally less than 100 percent cost recovery in cases where the purpose of the fee is not to generate revenue but rather provide benefits to the recipients (e.g. recreational activities); and

WHEREAS, pursuant to San Diego Municipal Code section 44.300(g), the City may approve programs whereby the provider of animal services waives or reduces fees when the City determines that such programs benefit the public by encouraging animal adoption, helping prevent cruelty and neglect to animals, or providing animals in need with medical care, provided such waivers and fee reductions are consistent with applicable law; and

WHEREAS, the projected yearly revenue based on the fee schedule will be lower than the yearly cost of providing animal control regulations and services; and

WHEREAS, the County and the San Diego Human Society conducted surveys of fees and fines by other jurisdictions for animal control regulations and services and the fees and fines charged by the County are similar to other animal service fees and fines charged in the region; and

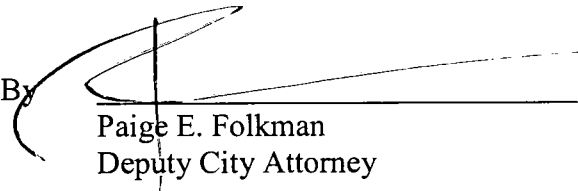
WHEREAS, the City wants to adopt the same fees and fines charged by the County for animal control regulations and services; NOW, THEREFORE,

BE IT RESOLVED, by the City Council of the City of San Diego, that the fees and fines related to animal control regulations and services, reflected in the summary table, as ATTACHMENT A, are hereby approved.

BE IT FURTHER RESOLVED, that the City Clerk is hereby directed to amend the fee schedule on file in the City Clerk's Office to include the animal control regulations and services fees and fines as reflected in ATTACHEMENT A.

BE IT FURTHER RESOLVED, that the fees and fines as reflected in ATTACHMENT A are effective contingent upon Ordinance No. O- 20937 amending the Municipal Code relating to animal control regulations and services becoming effective.

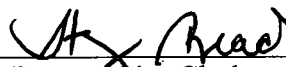
APPROVED: MARA W. ELLIOTT, City Attorney

By 
Paige E. Folkman
Deputy City Attorney

JSC:pef:jdf
04/20/18
Or.Dept:P&C
Doc. No.: 1708980

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 30 2018.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: 5/10/18
(date)


KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on APR 30 2018, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Lorie Zapf	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Myrtle Cole	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
David Alvarez	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Georgette Gomez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage MAY 10 2018

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND
City Clerk of The City of San Diego, California.

(Seal)

By *Hy B...*, Deputy

Office of the City Clerk, San Diego, California
Resolution Number R- 311733