RESOLUTION NUMBER R- **312802**

DATE OF FINAL PASSAGE **DEC 1 9 2019**

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 and the California Food and

Agriculture 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 of San Diego 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 and

services related to dog licensing; kennels; guard dogs; rabies vaccinations; treatment and

isolation of diseased animals; unaltered dogs and cats; impoundment of strays, potentially

dangerous dogs, cats, and other animals; and adoptions; and

WHEREAS, the California Health and Safety Code, California Food and Agriculture

Code, and County Code authorize the City to charge fees and fines for animal control services;

and

WHEREAS, as required by Article XIII C of the California Constitution, cities can only

charge rates or fees that are equal to or less than the reasonably anticipated costs of proving the

services, conferring the benefit, granting a privilege, performing regulatory duties, or enforcing

law; 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, the City's provider of animal control and services, the San Diego Human Society, reviewed the fees adopted by the City in April 2018, conducted a study, compared the fees to other shelters in the region, and is recommending that the fees be increased; and

WHEREAS, the recommended fees do not exceed the reasonable cost of providing the services or performing the regulatory duties and are either cost recoverable or are less than the cost to provide the service or care; and
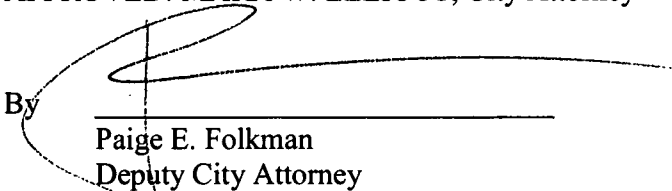
WHEREAS, the City wants to revise the following fees and fines for animal control regulations and services; NOW, THEREFORE,

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 ATTACHMENT A.

BE IT FURTHER RESOLVED, that the fees and fines as reflected in ATTACHMENT A

shall be effective January 1, 2020.

APPROVED: MARA W. ELLIOTT, City Attorney

By _____

Paige E. Folkman
Deputy City Attorney

PEF:hm:cm
November 18, 2019
Or.Dept:HR
Doc. No.: 2228652

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this
meeting of _____DEC 1 7 2019_____ .

ELIZABETH S. MALAND
City Clerk

By_____
Deputy City Clerk

Approved: __12/19/19__
      (date)

_____
KEVIN L. FAULCONER, Mayor

Vetoed: _____
      (date)

_____
KEVIN L. FAULCONER, Mayor

Passed by the Council of The City of San Diego on _____**DEC 1 7 2019**_____, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	☑	☐	☐	☐
Jennifer Campbell	☑	☐	☐	☐
Chris Ward	☑	☐	☐	☐
Monica Montgomery	☑	☐	☐	☐
Mark Kersey	☑	☐	☐	☐
Chris Cate	☑	☐	☐	☐
Scott Sherman	☑	☐	☐	☐
Vivian Moreno	☑	☐	☐	☐
Georgette Gómez	☑	☐	☐	☐

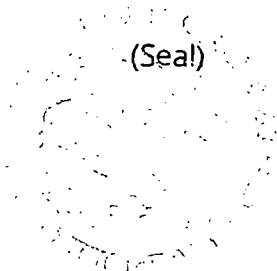Date of final passage _____**DEC 1 9 2019**_____.

(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.

By _Linda Irwin_ Deputy

(Seal)

Office of the City Clerk, San Diego, California
Resolution Number R-_____**312802**