



**Agenda Item A.9**  
**CONSENT CALENDAR**  
**Meeting Date: February 19, 2019**

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**TO:** Mayor and Councilmembers

**FROM:** Vyto Adomaitis, Neighborhood Services and Public Safety Director

**CONTACT:** Jaime A. Valdez, Senior Project Manager

**SUBJECT:** Adoption of Santa Barbara County Animal Regulations by Reference

**RECOMMENDATION:**

Conduct second reading (by title only, waive further reading) and adopt Ordinance No. 19-\_\_ entitled "An Ordinance of the City Council of the City of Goleta Amending Chapter 6.01 (Animals and Fowl) of Title VI (Animals) of the Goleta Municipal Code to Adopt the Most Recent Version of the Santa Barbara County Animals and Fowl Code by Reference."

**BACKGROUND**

Upon incorporation, the City of Goleta ("City") adopted via urgency ordinance the Santa Barbara County Code and other relevant non-codified Santa Barbara County ordinances for a period of 120 days (Ordinance 02-01). Ordinance 02-17, passed, approved and adopted on April 22, 2002, superseded the urgency ordinance. The adopted code (Goleta Municipal Code, or "GMC") addressing animals and fowl in the City (Chapter 6.01 Animals and Fowl) has remained unchanged from the adopted regulations in place since 2002.

Santa Barbara County Public Health Department's Animal Services Administration ("County Animal Services," or CAS) has provided a wide range of animal control-related services to the City since incorporation in 2002, which include animal vaccination services; veterinary assistance; licensing; public education; animal adoptions; enforcement of animal services laws; and responding to emergency animal service requests from the public and law enforcement. CAS has the expertise and infrastructure needed to provide animal control services for the City.

CAS has in the past few years encouraged its contracting cities to pursue adoption of the County's Animal code by reference as the animal regulations for their jurisdictions. The goal in doing so was to conform their respective animal control regulations to match those of the County to ensure effective enforcement of the regulations. Pursuant to Government Code Section 50022.9, cities may enact ordinances that adopt by reference county ordinances and codes.

The City Council's Ordinance Review Standing Committee ("Committee") met and discussed this item on three occasions (July 31, 2018, November 26, 2018, and January 16, 2019) and Staff presented their recommendations including the attached ordinance to the City Council on February 5, 2019. On February 5, 2019 the City Council introduced and conducted the first reading of the ordinance.

## DISCUSSION

The introduced ordinance is required to have a second reading before its adoption by the City Council. Council has the opportunity to adopt this ordinance, which would then be effective on the thirty-first day after adoption.

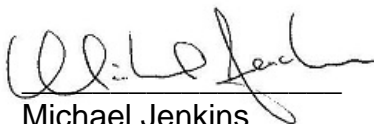
The Current Chapter 7 of the Santa Barbara County Code is based on an adoption date of October 3, 2017. If changes to Chapter 7 of the Santa Barbara County Code are made in the future, the City would need to consider readopting the future code at that time. The GMC would not automatically adopt any changes by reference.

## FISCAL IMPACTS:

Aside from the staff time to review and bring an ordinance to the full Council for action, there would be a net savings in terms of eliminating staff time involved in conducting hearings as well as writing and disseminating findings and orders. Since 2014, the City has held eight dangerous dog hearings (four in 2018). Typically, a dangerous dog hearing involves about three hours of the Assistant City Attorney's time, two hours of the Hearing Officer's (currently the Neighborhood Services and Public Safety Department Director) and about four hours of the Senior Project Manager's time.

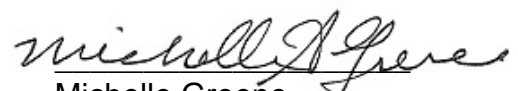
The City already has a contract with CAS for enforcement of animal control regulations and provisions of other animal control services. At the June 5, 2018 City Council Meeting, Council approved the revised FY 2018-19 Budget, which included an allocation for the animal control services contract of \$249,188 in account (101-5-6100-559). The animal control services agreement for FY 2019-20 is anticipated to be \$252,926 and will be included in the Fiscal Year 2019-20 Budget.

### Legal Review By:



Michael Jenkins  
City Attorney

### Approved By:



Michelle Greene  
City Manager

## ATTACHMENTS

1. Ordinance No. 19-\_\_entitled "An Ordinance of the City Council of the City of Goleta Amending Chapter 6.01 (Animals and Fowl) of Title VI (Animals) of the Goleta Municipal Code to Adopt the Most Recent Version of the Santa Barbara County Animals and Fowl Code by Reference"

## **ATTACHMENT 1**

Ordinance No. 19-\_\_entitled “An Ordinance of the City Council of the City of Goleta Amending Chapter 6.01 (Animals and Fowl) of Title VI (Animals) of the Goleta Municipal Code to Adopt the Most Recent Version of the Santa Barbara County Animals and Fowl Code by Reference”



**ORDINANCE NO. 19-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY  
OF GOLETA AMENDING CHAPTER 6.01 (ANIMALS  
AND FOWL) OF TITLE VI (ANIMALS) OF THE GOLETA  
MUNICIPAL CODE TO ADOPT THE MOST RECENT  
VERSION OF THE SANTA BARBARA COUNTY  
ANIMALS AND FOWL CODE BY REFERENCE**

THE CITY COUNCIL OF THE CITY OF GOLETA DOES ORDAIN AS FOLLOWS:

**SECTION 1 CODE AMENDMENT.**

Chapter 6.01 (Animals and Fowl) of Title 6 (Animals) of the Goleta Municipal Code is hereby amended to read as follows:

**Chapter 6.01 ANIMALS AND FOWL**

- 6.01.010 - Short title.
- 6.01.020 - County ordinance adopted.
- 6.01.030 - Exceptions.
- 6.01.040 – Violations – Penalty.
- 6.01.050 – Appeals

**6.01.010 - Short title.**

This chapter shall be known as the Animals and Fowl Code of the City and may be cited as such.

**6.01.020 - County ordinance adopted.**

Chapter 7, entitled “Animals and Fowl,” of the Santa Barbara County Code, as amended and in effect on February 5, 2019, is adopted by reference as the Animals and Fowl Code of the City.

A copy of the Santa Barbara County Animals and Fowl Code has been deposited in the office of the City Clerk and shall be maintained by the City Clerk for use and examination by the public. In the event there is any inconsistency between the provisions of Chapter 7 of the Santa Barbara County Code and other provisions of this Code, the other provisions of this Code shall prevail.

#### **6.01.030 - Exceptions.**

Santa Barbara County Code, Section 7-10, entitled “Violations,” in Chapter 7 of the Santa Barbara County Code, as amended and in effect on February 5, 2019, is excluded from this Code and is not adopted by reference by the City.

Santa Barbara County Code, Section 7-39, entitled “District attorney enforcement remedies,” in Chapter 7 of the Santa Barbara County Code, as amended and in effect on February 5, 2019, is excluded from this Code and is not adopted by reference by the City.

Santa Barbara County Code, Section 7-41, entitled “Use of steel -jawed leg-hold traps,” in Chapter 7 of the Santa Barbara County Code, as amended and in effect on Month Date, 2019, is excluded from this Code and is not adopted by reference by the City.

The following portion of Santa Barbara County Code, Section 7-43, entitled “Violation—Penalty for infraction,” in Chapter 7 of the Santa Barbara County Code, as amended and in effect on February 5, 2019, “Any person who violates the provisions of this article is guilty of an infraction, which shall be punishable by a fine not to exceed one hundred dollars for the first violation; not to exceed two hundred dollars for a second violation within one year; and not to exceed five hundred dollars for each additional violation of the same ordinance within one year. Further,” is excluded from this Code and is not adopted by reference by the City.

Santa Barbara County Code, Section 7-55, entitled “Dog bites by dogs at large—Penalty,” in Chapter 7 of the Santa Barbara County Code, as amended and in effect on February 5, 2019, is excluded from this Code and is not adopted by reference by the City.

Santa Barbara County Code, Section 7-63, entitled “Violation—Penalty for infraction,” in Chapter 7 of the Santa Barbara County Code, as amended and in effect on February 5, 2019, is excluded from this Code and is not adopted by reference by the City.

#### **6.01.040 – Violations – Penalty.**

Violation of this Chapter by any person shall be subject to the administrative penalty provisions set forth in Chapter 1.02.

#### **6.01.050 – Appeals**

Appeals of any determination made after a Vicious or Restricted Dog Hearing may be appealed pursuant to the Food and Agricultural Code.

**SECTION 2 EFFECTIVE DATE.**

This ordinance shall take effect thirty days after its passage and adoption pursuant to California Government Code section 36937.

**SECTION 3 CERTIFICATION.**

The City Clerk is directed to certify the passage and adoption of this Ordinance and shall cause the same to be published or posted in accordance with California law.

INTRODUCED ON the 5<sup>th</sup> day of February, 2019.

PASSED, APPROVED, AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
PAULA PEROTTE  
MAYOR

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
DEBORAH S. LOPEZ  
CITY CLERK

\_\_\_\_\_  
MICHAEL JENKINS  
CITY ATTORNEY

STATE OF CALIFORNIA )  
COUNTY OF SANTA BARBARA ) ss.  
CITY OF GOLETA )

I, Deborah S. Lopez, City Clerk of the City of Goleta, California, do hereby certify that the foregoing Ordinance No. 19-\_\_ was introduced on February 5, 2019, and adopted at a regular meeting of the City Council of the City of Goleta, California, held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019 by the following roll-call vote, to wit:

**AYES:**

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

DEBORAH S. LOPEZ  
CITY CLERK