



## Legislation Details (With Text)

**File #:** #18-353 **Version:** 1 **Name:**  
**Type:** ORDINANCES **Status:** Passed  
**File created:** 10/3/2018 **In control:** City Council  
**On agenda:** 10/15/2018 **Final action:** 10/16/2018  
**Title:** PUBLIC HEARING ON ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AMENDING CHAPTER 6.04 OF THE MUNICIPAL CODE BY ADOPTING BY REFERENCE THE ANIMAL CONTROL PROVISIONS OF THE COUNTY CODE

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD 2018-### Animal Services DRAFT, 2. RESO 2018-129 Adopt Animal Control Amendments, 3. Agreement County Animal Services Animal Services, 4. CCC Ordinance 416-2 thru 416-12, 5. Proof of Publication - Public Hearing Animal Control Svcs

Date	Ver.	Action By	Action	Result
10/16/2018	1	City Council	waived second reading and adopted	Pass

**PREPARED BY:** CELESTE TAYLOR

**DATE OF MEETING:** 10/15/18

### **SUBJECT:**

PUBLIC HEARING ON ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN PABLO AMENDING CHAPTER 6.04 OF THE MUNICIPAL CODE BY ADOPTING BY REFERENCE THE ANIMAL CONTROL PROVISIONS OF THE COUNTY CODE

### **CITY MANAGER RECOMMENDATION**

Conduct public hearing; waive second reading; adopt Ordinance

### **COMPLIANCE STATEMENTS**

This item was not included on the Council Priority Workplan, but is needed to continue effective animal control operations through the agreement with Contra Costa Animal Services, which is a component to public safety and quality of life policy areas.

### **CEQA Compliance Statement**

This is not a project as defined by CEQA.

### **BACKGROUND**

The City of San Pablo and Contra Costa County have a long-standing agreement for Contra Costa County to provide animal control services within the City of San Pablo by the County's Animal Services Department. The Board of Supervisors of Contra Costa County has adopted County ordinances with provisions for animal control services, which are codified at Chapters 416-2 to 416-12 of Division 416 of the County Code and referred to collectively as "County Animal Control Ordinance":

[https://library.municode.com/ca/contracosta/codes/ordinance\\_code?](https://library.municode.com/ca/contracosta/codes/ordinance_code?_ga=2.151111111.151111111.151111111-151111111.151111111)

[nodeId=TIT4HESA\\_DIV416AN>](#)

In 2006, the City of San Pablo, through San Pablo Municipal Code Chapter 6.04, adopted by reference the County Codes relating to animal control to allow for enforcement of those codes within the City's jurisdiction. Since 2006, the County has amended and added ordinances that are not reflected in Chapter 6.04 of the City's Municipal Code. As such, under the current version of Chapter 6.04, it is a challenge for County Animal Services to enforce in San Pablo any County Animal Control Code ordinances that have been amended or added since 2006. Amendment of the City's Municipal Code Chapter 6.04 to adopt by reference the current County Animal Control Ordinance would give County Animal Services the ability to enforce these ordinances in San Pablo as specified in the contract for animal control services with the City. The only County provision not recommended for adoption within San Pablo is the County provision on regulating the keeping of roosters as roosters are prohibited within San Pablo.

The California Government Code sets forth specific procedures for a city to adopt by reference the code or ordinance of another jurisdiction, similar to when the City adopts the Building Codes by reference. On October 1, 2018, the City Council waived the reading of the ordinance in full and read by title only; introduced the ordinance; and adopted the resolution setting the public hearing for the regular City Council meeting on October 15, 2018. Staff recommends the City Council conduct the public hearing and consider adopting the Ordinance that incorporates the current County Animal Control Ordinance.

#### **FISCAL IMPACT**

There is no fiscal impact to adopting the current County Animal Control Ordinance. The City will spend \$189,534 in the current fiscal year for animal control services through the County.