



# CITY COUNCIL AGENDA STATEMENT



FEBRUARY 28, 2012, Item 13

**ITEM TITLE:** ORDINANCE OF THE CITY OF CHULA VISTA REVISING TITLE 6, ANIMALS, OF THE MUNICIPAL CODE AND ADDING NEW SECTION 6.01, DEFINITIONS; SECTION 6.22, MANDATORY SPAY/NEUTERING; SECTION 6.32, MICROCHIPPING; AND SECTION 6.33, GENERALLY

**SUBMITTED BY:** ANIMAL CARE FACILITY MANAGER *[Signature]*

**REVIEWED BY:** CITY MANAGER *[Signature]*  
ASSISTANT CITY MANAGER *[Signature]*

**4/5THS VOTE:** YES  NO

### SUMMARY

The City of Chula Vista Animal Care Facility (CVACF) is responsible for animal care and animal control services in the City of Chula Vista. One of the goals of the CVACF is to maximize the save rate for dogs and cats impounded at the CVACF.

This action recommends changes and additions to Title 6, Animals, of the City of Chula Vista's Municipal Code intended to improve the save rate of impounded cats and dogs as well as to update this portion of the Municipal Code.

### ENVIRONMENTAL REVIEW

The Director of Development Services has reviewed the proposed activity for compliance with the California Environmental Quality Act (CEQA) and has determined that the activity is not a "project" as defined under Section 15378 of the State CEQA Guidelines because it consists of administrative activities that will not result in direct or indirect physical changes to the environment. Therefore, pursuant to Section 15060(c)(3) of the State CEQA Guidelines, the activity is not subject to CEQA. Thus, no environmental review is necessary.

### RECOMMENDATION

Council accept the Ordinance for first reading.

### BOARDS/COMMISSION RECOMMENDATION

Not Applicable.

## **BACKGROUND**

The CVACF is responsible for providing animal care and animal control services in the City of Chula Vista. Much of Title 6, Animals, of the Municipal Code is outdated and in need of updating. In addition, the CVACF has a goal of improving the save rate of dogs and cats impounded at the Facility. Over the past four years, the CVACF has averaged approximately 2,600 cats impounded each year and approximately 2,500 dogs impounded each year from the City of Chula Vista.

At the CVACF, dogs and cats are generally only euthanized if they cannot be adopted due to medical or behavior issues. Animals euthanized include those requested by the owner. In addition, almost all feral cats are euthanized due to behavior issues. During the past four years, the CVACF has averaged approximately 1,630 euthanasias of cats each year and approximately 700 euthanasias of dogs each year.

Over the past few years, the CVACF has been successful through adoption programs and events and working with dog and cat rescue groups in adopting all dogs and cats that do not have significant medical or behavioral issues. However, staff is aware that crowding can lead to increased medical and behavioral issues. Crowding is especially challenging during the “kitten” season. The City has been able to pursue a cattery expansion project through a combination of donated funds, construction labor and materials. This project will double the size of the cattery and is expected to be completed in March 2012.

## **DISCUSSION**

The CVACF’s success in adoptions has helped with the save rate for dogs and cats. The CVACF is now pursuing ways to reduce the intake of stray dogs and cats which should also improve the save rate.

City staff has researched methods used by other agencies to reduce intakes such as mandatory spay/neuter for all dogs and cats not meeting certain exemptions and requiring all breeders of dogs and cats to be licensed. In addition, staff held three public meetings on these topics with a total attendance of approximately 60 people. Subsequently, staff met with a subset of interested stakeholders at nine meetings over the past four months to discuss various alternatives primarily focused on reducing dog and cat intakes at the CVACF.

### Education

Much of the discussion was focused on influencing pet owners to be responsible in their care of their pets. City staff is developing an educational program on responsible pet ownership. This program will include written information for distribution to pet owners as well as a program targeted for high school students that would include classes and sponsoring pet clubs at all Chula Vista High Schools.

### Microchipping

Microchipping is seen as a successful means of quickly reuniting stray pets with owners. Therefore, staff is recommending mandatory microchipping of dogs and cats on first impound. In addition, City staff is working on a program to offer low or no cost microchipping for low income Chula Vista residents.

### Spay/Neutering

Spaying or neutering dogs and cats should reduce the number of unplanned litters and thus reduce the number of stray impounds at the CVACF. Staff is recommending increasing the fee for intact dogs and cats impounded at the CVACF. However, staff is also recommending implementing a Spay Neuter Incentive Program (SNIP) similar to that in place at the County of San Diego. If an owner chooses the SNIP program rather than paying the higher intact animal impound fee, the reduced fee would be \$75 and would cover spay/neuter, microchipping, vaccinations and a one year license for dogs. In addition, staff is recommending mandatory spay/neuter of dogs and cats impounded a second time. Staff is also recommending that the CVACF Manager have the authority to waive impound regulations in the case of extraordinary circumstances such as earthquakes and fire. In addition, the CVACF recently acquired its own vehicle to do spay, neutering and adoption events. This vehicle will be used to offer low/no cost spay/neuter events for low income Chula Vista residents.

### Regulations

Staff is proposing to amend and add a number of regulations related to the CVACF.

Staff is recommending increasing the licensing fee for unaltered dogs and creating a fine for unlicensed dogs.

The City of Chula Vista currently has limits on the number of dogs and cats residents can have based on the size of their residential property. Staff is recommending that authority be granted to the CVACF Manager to waive pet limit regulations on a case-by-case basis up to the total number of dogs and cats authorized by the Municipal Code, and to apply those limits only to dogs and cats over six months of age.

Staff is recommending updating the definition in the Municipal Code for kenneling requirements and barking dog and dangerous dogs rules. These updates are largely modeled on the County of San Diego's requirements.

The State of California prohibits sale of pets in the public right of way. Staff intends to enforce this prohibition as staff resources permit.

The State Board of Equalization defines "pet sellers" as anyone selling more than two pets per year. City staff recommends incorporating this definition in the Municipal Code and requiring pet sellers to abide by selected Municipal Code kenneling requirements as amended by this action to insure the health and safety of these animals.

Dogs running at large or off leash increase the number of unplanned litters and potentially endanger residents. The Municipal Code already includes leash requirements. City staff intends to better enforce these requirements as staff resources permit and is recommending establishment of a fine for violation of leash regulations.

Fee and Fine Changes contemplated as part of this issue are listed in Attachment 1 and will be brought forward as part of the next Master Fee Schedule update this spring.

City staff intends to monitor the impacts of these recommendations on the intake of dogs and cats at the CVACF over time and plans to meet with interested stakeholders on a quarterly basis and provide periodic feedback to the Mayor and Council.

### **DECISION MAKER CONFLICT**

Staff has reviewed the actions contemplated by this item and has determined that the actions are not site specific and, consequently, the 500-foot rule found in California Code of Regulations Section 18704.2(a) is not applicable.

### **CURRENT YEAR FISCAL IMPACT**

No significant fiscal impact is expected as a result of this action. The upcoming Master Fee Schedule update will address the related fiscal impacts.

### **ONGOING FISCAL IMPACT**

No significant fiscal impact is expected as a result of this action. The upcoming Master Fee Schedule update will address the related fiscal impacts.

### **ATTACHMENTS**

Fee/Fine Recommendations  
Existing Title 6

*Prepared by: Assistant City Manager Scott Tulloch*

## Chula Vista Animal Care Facility

### Recommended Fee/Fine Changes and Additions

	Current City of Chula Vista	Recommended City of Chula Vista
<b>LICENSING FEES</b>		
License 1 yr unaltered	\$ 25.00	\$ 30.00
License 3 yr unaltered	\$ 50.00	\$ 72.00
<b>ANIMAL IMPOUNDMENT FEES</b>		
Dogs/cats		
1st Impound unaltered	\$ 25.00	\$25 plus \$150
2nd Impound unaltered	\$ 45.00	\$45 plus \$250 or MSN
Spay Neuter Incentive Program (SNIP)	\$ -	\$ 75.00
MSN - Mandatory Spay/Neuter		
<b>OTHER FEES</b>		
Unlicensed dog	\$ -	\$ 50.00
Animal Running at Large (off leash)	\$ -	\$ 25.00

NOTE: Specific recommendations will be presented to Council for approval as part of a future Master Fee Schedule update.