

MARIPOSA COUNTY ORDINANCE NO. 877

**AN ORDINANCE TRANSFERRING THE
ANIMAL CONTROL FUNCTION TO THE SHERIFF'S OFFICE**

WHEREAS, the Board of Supervisors has determined that the animal control function shall be transferred from the Constable's Office to the Sheriff's Office;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, a political subdivision of the State of California, does ordain as follows:

SECTION I: Subsection "F" of section 6.08.010 entitled "Definitions" of Chapter 6.08 entitled "Animal Control" of the Mariposa County Code shall be amended to read as follows:

"F. 'Animal Control Officer' is the designated person to enforce this chapter. The animal control function shall be located in and supervised by the Mariposa County Sheriff's Office."

SECTION II: Section 6.08.060 entitled "License--Duplicate" shall be amended to read in its entirety as follows:

"The owner of a dog whose tag has been lost must replace the tag. The county sheriff's office will issue a duplicate license for a fee, set by resolution of the board of supervisors, upon proper identification and execution of a certification of loss."

SECTION III: Subsections "B" and "C" of Section 6.08.070 entitled "License tag--Issuance" shall be amended to read in their entirety as follows:

"B. The county sheriff's office shall maintain and carry out a system for the procurement, issuance, and recording of dog licenses in accordance with this chapter. License tags shall be issued, be of durable material, and bear the stamped words "Mariposa County", a number, and the year or years.

C. The number of the license tag issued shall be endorsed upon the application for such license. All applications which have been endorsed shall be maintained on a current basis on file in county sheriff's office and shall be open to public inspection."

SECTION IV: Subsection "B" of section 6.08.110 entitled "Impoundment--Disposition of animals" shall be amended to read as follows:

"B. When a dog which is impounded bears a valid current license tag, the dog shall be kept ten (10) days after mailing notice of impoundment by certified mail at the owner's expense, to the licensed owner. The owner may reclaim the dog upon payment of a fee in the amount of thirty dollars (\$30.00), plus the expenses resulting from impoundment and the mailing of notice...."

SECTION V: A new subsection "G" shall be added to section 6.08.110 and shall read in its entirety as follows:

"G. The animal control officer may, with approval of his or her superior, allow an impounded animal to be released from impoundment without the fees having been paid if adequate arrangements have been made to collect the fees."

SECTION VI: Section 6.08.150 entitled "Seizing and impounding dogs" shall be amended to read in its entirety as follows:

"The animal control officer may impound an animal in violation of Section 6.08.260 of this chapter. If the animal control officer observes an animal which is in violation of Section 6.08.260 return to the private property of the animal's owner or the person who has the right to control or possess the animal a citation may be issued in lieu of impoundment. If the animal is impounded a notice shall be posted on the front door of the living unit of the owner or the person who has the right to control or possess the animal stating that the animal has been impounded, where the animal is being held, the name, address, and telephone number of the animal control officer to be contacted regarding release of the animal and an indication of the ultimate disposition of the animal if no action to regain it is taken within a specified period of time by its owner or by the person who has a right to control or possess the animal."

SECTION VII: Section 6.08.230 entitled "Animal control officer--Designated" shall be amended to read in its entirety as follows:

"There shall be a animal control officer of Mariposa County who shall be employed by the sheriff-coroner's office. The duties of the animal control officer shall be as outlined in this chapter, and as may be set from time to time by resolution of the board, and as may be prescribed by the laws of the state. The county sheriff's office is authorized to collect license fees. The animal control officer shall enforce the provisions of this chapter and of applicable sections of the state law; and is empowered to issue citations for violations of them. The sheriff may designate any or all Mariposa County peace officers to perform the function of the animal control officer as the sheriff deems necessary."

SECTION VIII: Section 6.08.250 entitled "Disposition of fees and fines" shall be rescinded in its entirety.

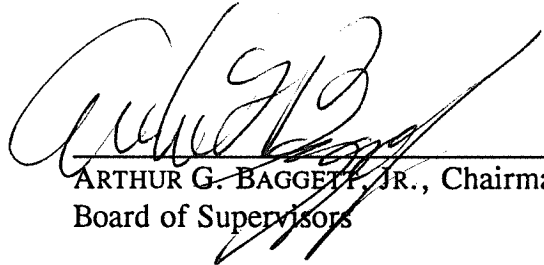
SECTION IX: The word "small" as in "small animal control officer" shall be deleted in all places in section 6.08.300.30 entitled "Investigation".

SECTION X: The word "small" as in "small animal control officer" shall be deleted in all places in section 6.08.300.60 entitled "Impoundment of Vicious Dog".

SECTION XI: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

PASSED AND ADOPTED this 18th day of October, 1994 by the Mariposa County Board of Supervisors by the following vote:

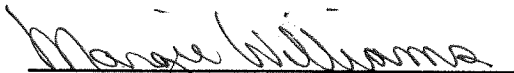
AYES: BAGGETT, PARKER, TABER
NOES: NONE
ABSENT: BALMAIN, ERICKSON
ABSTAINED: NONE



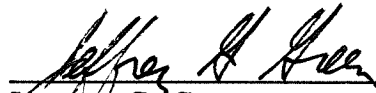
ARTHUR G. BAGGETT, JR., Chairman
Board of Supervisors

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



MARGIE WILLIAMS
Clerk of the Board



JEFFREY G. GREEN
County Counsel

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

DATE: 10-18-94
AGENDA ITEM NO.: 2

10-18-94
Adopt
Intro
CA 2
CA 4

DEPARTMENT: County Counsel BY: Jeffrey G. Green PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No ___)

~~Waive first reading and introduce Ordinance~~/Waive second reading and adopt Ordinance transferring the animal control function from the Constable's Office to the Sheriff's Office.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

During the 1994/1995 budget hearings, the Board approved the transfer of the animal control function to the Sheriff's Office and directed Counsel to prepare an Ordinance to formalize the transfer.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- Approve Ordinance as proposed.
- Do not approve Ordinance as drafted. Direct staff to amend Ordinance as the Board desires.

<p>COSTS: (X) Not Applicable</p> <p>A. Budgeted current FY \$ _____</p> <p>B. Total anticipated costs \$ _____</p> <p>C. Required additional funding \$ _____</p> <p>D. Internal transfers \$ _____</p> <p>SOURCE: () 4/5ths Vote Required</p> <p>A. Unanticipated revenues \$ _____</p> <p>B. Reserve for contingencies \$ _____</p> <p>C. Source description: _____</p> <p>Balance in Reserve for Contingencies, if approved: \$ _____</p>	<p>SPECIAL INSTRUCTIONS: List the attachments and number the pages consecutively: Ordinance. _____ _____ _____</p>
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<p>CLERK'S USE ONLY:</p> <p>Res. No.: _____ Ord. No. <u>877</u></p> <p>Vote - Ayes: <u>3</u> Noes: _____</p> <p>Absent: <u>Falman, Erickson</u> Abstained: _____</p> <p>() Approved () Denied</p> <p>() Minute Order Attached () No Action Necessary</p> <p>The foregoing instrument is a correct copy of the original on file in this office.</p> <p>Date: _____</p> <p>ATTEST: MARGIE WILLIAMS, Clerk of the Board County of Mariposa, State of California</p> <p>By: _____ Deputy</p>	<p>ADMINISTRATIVE OFFICER'S RECOMMENDATION: This item on agenda as:</p> <p><input checked="" type="checkbox"/> Recommended</p> <p><input type="checkbox"/> Not Recommended</p> <p><input type="checkbox"/> For Policy Determination</p> <p><input type="checkbox"/> Submitted with Comment</p> <p><input type="checkbox"/> Returned for Further Action</p> <p>Comment: _____</p> <p>A.O. Initials: <u>AD</u></p>
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