

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: January 19, 2010

Reviewed by: BP

SUBJECT: Ordinance #09-017 – An Ordinance of the Albany City Council adding regulations for impounded unaltered dogs and cats to Chapter 10 of the Albany Municipal Code

REPORT BY: Beth Pollard, City Administrator

STAFF RECOMMENDATION

Adopt Ordinance #09-017 – An Ordinance of the Albany City Council Adding Regulations for Impounded Unaltered Dogs and Cats to Chapter 10 of the Albany Municipal Code for Second Reading – Pass-to-Print. Waiving reading of entire Ordinance.

BACKGROUND

At the meeting of December 7, 2009, the City Council introduced Ordinance #09-017. Council asked for information on any added costs to the contract with the City of Berkeley for animal control services. Council also directed a change in the wording of Section 10-4.6 to replace "...shall after five (5) days written notice to the owner, if known..." with "after the legal holding period."

DISCUSSION

Berkeley Animal Control staff reviewed the ordinance and suggested some wording changes for clarification and consistency. The changes are noted in the attached "strikeout" version. With respect to the wording in Section 10-4.6(A)..."after the legal holding period...", they suggested elimination of that clause, noting that the legal holding period only exists for animals that are not reclaimed, and the ordinance is intended for animals that are reclaimed, hopefully before the holding period is up. The five day time frame in which the animals may not be spayed or neutered without owner consent is noted in Section 10-4.6.

The City of Berkeley requires licenses for unaltered cats. The City of Albany does not have this license requirement; therefore the reference to licensed animals was deleted.

The ordinance states that the owner/guardian shall be given a choice of veterinarians to perform the procedure. Berkeley staff noted that the veterinarians must be in within the jurisdictions served by Berkeley Animal control or with which they have contracts that

they serve or vets with whom they have contracts that maybe be in an outside jurisdiction. This is because they have to transport the animals from the shelter to the vet, so they only use vets in Berkeley, Albany and El Cerrito.

SUSTAINABILITY IMPACT

N/A

FINANCIAL IMPACT

The contract with Berkeley Animal Control Services will need to be amended to include these services. The estimated annual cost, including designation as the hearing officer, is approximately \$350.

Attachments

1. Ordinance #09-017
2. Strikeout version of Ordinance #09-017 compared to 12/7/09 ordinance version.