

Animal Control and Protection Code - Proposed Modifications to Chapter 6.04 – April 3, 2007

Section	Change	Reason
6.40.010	Adds definition for “animal fighting paraphernalia”	Possession is prohibited; legal definition is necessary
	Defines “City Treasurer”	Relates to section on licensing
	Deletes enclosure as an exemption from designation as a “dangerous dog”	Provides better control of dangerous animals prior to a bite or attack
	Adds chasing or menacing in an aggressive manner to criteria for dangerous dogs unless the person involved was committing a willful trespass	Allows designation of “dangerous” prior to an actual attack or physical injury
	Defines dogs posing a “threat to public safety” or “danger to human life or property” as dangerous, refers to criteria used for vicious animal hearings in Section 6.04.045	Allows consideration of potential risk prior to an actual attack
	Redefines definition of “Health Officer”	Reflects department name change to Environmental Services
	Revises definition of “inhumane treatment;” adds “causing or allowing to fight with any other animal”	Facilitates prosecution for dog fighting or cockfighting under animal cruelty provisions
	Deletes definition of “license collector;”	Reflects consistency with other codes and Finance Dept. practice
	Redefines “owner;” adds individuals having an “interest in” or “control over or custody of” an animal	Better defines persons responsible for control and treatment of animals
	Redefines “person;” includes professional association, limited liability company, or limited liability partnership, and similar organizations	Addresses other entities legally responsible for control and treatment of animals
	Defines “pit bull”	Allows ownership regulations of the breed
	Redefines “running at large”	Clarifies enclosure requirements
	Defines “secure enclosure”	Specifies enclosure requirements for dangerous dogs
6.04.035	Inserts “inhumane treatment” in cruelty reference	More inclusive prohibition
6.04.035	Prohibits leaving animals in parked vehicles without protection from heat or cold; allows the Health Officer to remove and impound animals at risk	Address circumstances observed by citizens and encountered by staff in extremely hot or cold weather
6.04.040	Requires sterilization of animals impounded for running at large two or more times in a twelve month period	Reduces potential for breeding and unwanted animals, and motivation for animals to escape

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6.04.040	Prohibits individuals from allowing animals to run at large in pet stores	Pet stores now allow customer's animals inside; previous control language applied only to store operators
	Prohibits possession of animal fighting paraphernalia	Allows better control of dog fighting and cock fighting
	Separates existing bee keeping requirements from other provisions	Altered for clarity
	Substitutes "City Treasurer" for "license collector"	Reflects change in definitions and Finance Dept. organization
	Requires sterilization of pit bulls and insertion of micro chips	Reduces aggression of animals in question, limits breeding of animals for fighting, allows positive identification of owners
	Limits individuals to no more than two pit bulls anywhere in the City	Allows keeping of pets, while reducing availability of animals for fighting
	Restricts the number of pit bulls at any residential address to two, regardless of ownership	Eliminates circumvention of law through "straw man" ownership; enhances effectiveness of ownership limitations
6.04.045	Allows Health Officer to declare dogs "dangerous," sets criteria for determination, and provides due process hearing mechanism for owners to contest determinations	Allows more timely action and impoundment pending hearings, if requested; clarifies ability to declare dogs "dangerous" prior to an attack
6.04.046	Requires confinement of "dangerous dogs" in secure enclosures (defined in 6.04.010,) and requires persons transporting "dangerous dogs" to be of legal age (18 yrs)	Provides greater control of animals deemed vicious, clarifies requirements for confinement and movement
	Requires Health Officer approval of enclosures for dogs deemed dangerous, and allows access for inspection	Allows verification of security arrangements and periodic monitoring of confinement
6.04.048	Replaces "keeper" with "person harboring;" replaces "Environmental Health Department" with "Health Officer;"	Clarifies responsibilities for insurance, registration, and notification of change in location for dangerous dogs
6.04.050	Prohibits giving false information when redeeming an impounded animal at the animal shelter	Facilitates better tracking of habitual violators and problem animals
6.04.110	Clarifies process and parties involved in licensing process	Conformity to new definitions
	Requires owner to provide proof of licensure at the request of the Health Officer	Facilitates enforcement of licensing requirements
6.04.120	Inserts reference to breeder license applicants	Prohibits false statements by applicants

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6.04.140	Changes language concerning owner and vaccination tags	Clarifies requirements for identifying animals not on their owner's premises
6.04.150	Increases fees for dog owner licenses (\$12 to \$18), increases surcharges for animals that are not spayed or neutered (\$5 to \$18), increases delinquent renewal penalty fees (\$5)	Provides greater incentive for spaying and neutering animals, increases revenue to support enforcement of animal control codes, including increased field staff previously approved by Council
6.04.155	Adds requirements for dog breeder's license	Addresses issues of pet over-population
6.04.160	Revises notifications and procedures for city-wide quarantine in the event of a rabies outbreak	Reflects current City and Environmental Services organizational structures
6.04.170	Makes annual dog census optional, rather than mandatory	Reflects current service priorities and staff utilization; allows prioritization of activities
6.04.190	Revises minimum and maximum penalties for violations	Aligns maximums with other City Code chapters, provides increased penalties for repeat violations or serious infractions
6/04.200	Removes written notice requirements which are incorporated elsewhere in code	Deleted for clarity
6.04.210	Extends appeal mechanism to all sections of Chapter 6.04	Allows due process relative to administrative determinations