

ORDINANCE NO. 1125, FOURTH SERIES

AN ORDINANCE AMENDING SECTION 19 OF ORDINANCE NO. 578, FOURTH SERIES, PASSED MAY 4, 1933, AND ENTITLED: "AN ORDINANCE ESTABLISHING A PUBLIC POUND; CREATING THE OFFICE OF POUND MASTER; PROVIDING FOR ASSISTANTS TO THE POUND MASTER; PROVIDING FOR COMPENSATION; FIXING THE AMOUNT OF BOND TO BE FILED BY THE POUND MASTER; REGULATING THE KEEPING OF ANY HORSE, MULE, ASS, KINE, HOG, SHEEP OR GOAT; REGULATING THE KEEPING OF DOGS; PROVIDING THAT OWNERS OF DOGS MUST SECURE A PERMIT TO KEEP A DOG AND PROVIDING FOR THE REGISTRATION OF DOGS; MAKING IT UNLAWFUL FOR DOGS TO RUN AT LARGE OR BE PERMITTED IN A FOOD ESTABLISHMENT; PROVIDING FOR THE IMPOUNDING OF ANIMALS RUNNING AT LARGE AND THE MANNER IN WHICH SUCH ANIMALS MAY BE REDEEMED OR DISPOSED OF; REGULATING THE KEEPING OF DOGS SUSPECTED OF BEING AFFLICTED WITH RABIES; MAKING IT UNLAWFUL FOR ANY PERSON TO HARBOR OR CONCEAL A DOG RUNNING AT LARGE; FIXING THE PENALTY FOR THE VIOLATION OF THE PROVISIONS OF THIS ORDINANCE, AND REPEALING ORDINANCE NO. 509, FOURTH SERIES, PASSED APRIL 30, 1931, AND ORDINANCE NO. 551, FOURTH SERIES, PASSED JUNE 9, 1931."

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1: Section 19 of Ordinance No. 578, Fourth Series, passed May 4, 1933, is hereby amended to read as follows:

Section 19: No person shall operate a Dog Kennel in the City of Sacramento without having first procured a license so to do from the Assessor-Collector. The Assessor-Collector shall not issue this license until a permit is granted as provided herein.

Any person desiring the issuance of a permit and license to operate a Kennel within the City of Sacramento shall make application to the Health Officer on such forms as he may provide. Upon such application being made, the Health Officer shall inspect the premises intended to be used as a kennel. If the Health Officer, from such inspection, shall find that the operation of a kennel upon the inspected premises would not be detrimental to public health, he shall note in writing upon the application that such inspection has been made and that he has so found.

Upon this approval by the Health Officer, he shall forthwith cause this application to be delivered to the Secretary of the Planning Commission. Upon the receipt of this application, the Secretary of the Planning Commission shall set a hearing on the question of whether or not a permit should be granted to allow the applicant to conduct a kennel upon the premises described in the application.

This hearing shall be set before the Planning Commission at a time not less than five, nor more than fifteen days after the date of the receipt of the application by the Secretary of the Planning Commission. The Secretary of the Planning Commission shall, not less than five days before the date set for the hearing, cause written notices of such hearing to be mailed to owners and occupants of property located within 300 feet of the boundary lines of the lot upon which such kennel is to be operated. Upon the date set for the hearing, any person, whether a notice was sent to him or not, may appear and protest or advocate the establishment of the dog kennel as applied for.

The Planning Commission at such hearing may grant or refuse to grant to the applicant a permit to operate the kennel.

In the event that the Planning Commission grants a permit to operate a kennel, this permit shall be forwarded forthwith to the Assessor-Collector.

Any person dissatisfied with the action of the Planning Commission may appeal therefrom to the City Council at any time within ten days after the decision as to the granting of the permit. The appeal is taken by filing a notice of appeal with the Secretary of the Planning Commission. The City Council shall, within twenty days of the receipt of the Notice of Appeal, hold a hearing upon such appeal by giving notice as provided above for the hearing before the Planning Commission. The City Council shall act upon such appeal within ten days after said hearing and may either grant or refuse to grant the permit.

The term "kennel" as used herein is any place operated for the purpose of breeding, raising, boarding, or harboring dogs.

The Health Officer shall prescribe rules and regulations for the operation of dog kennels which shall be in writing and shall be mailed or delivered to all persons holding such permits. The Health Officer may revoke or suspend any permit granted herein for violation by the permittee in the operation of the kennel, of any laws of the State of California, the Ordinances of the City of Sacramento, or the Rules and Regulations of the Health Officer. Such permit shall not be revoked or suspended until the permittee shall have had a hearing before the Health Officer upon at least 5 days written notice to such permittee, at which hearing the permittee shall have the right to present evidence in his behalf and to be represented by counsel.

The permittee whose permit is revoked or suspended may appeal to the City Council by filing a written notice of such appeal with the City Clerk within 5 days after such suspension or revocation. Within 10

days of the filing of the Notice of Appeal, the City Council shall set the same for hearing on a date within 20 days of the receipt of the Notice of Appeal. At such hearing, the permittee shall have the right to present evidence in his behalf and to be represented by counsel.

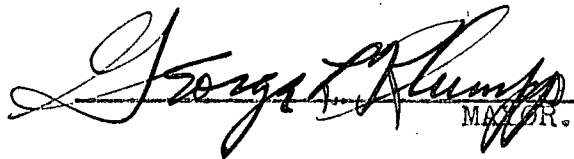
The City Council may, upon the completion of such hearing, reverse, modify, or sustain the action taken by the Health Officer.

The license fee for conducting a dog kennel shall be \$5.00 per year, payable annually in advance on or before the first day of January of each year.

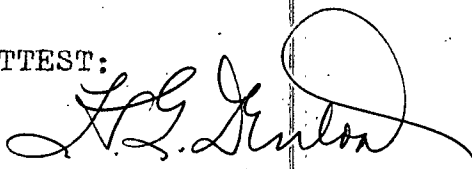
Dogs born and housed in a licensed kennel are not subject to registration fees for 3 months from date of birth.

PASSED: February 8, 1946

EFFECTIVE: March 10, 1946


MAYOR.

ATTEST:


CITY CLERK.

3

ORDINANCE No. 1125