

**OFFICE OF THE
CITY CLERK**

VALERIE A. BURROWES, MMC
CITY CLERK

VIRGINIA K. HENRY, CMC
ASSISTANT CITY CLERK

TERESA FAHNING
CHIEF DEPUTY CITY CLERK

**CITY OF SACRAMENTO
CALIFORNIA**

CITY HALL
915 I STREET
ROOM 304
SACRAMENTO, CA
95814-2671

FAX 916-264-7672

ADMINISTRATION
PH 916-264-5799

OPERATIONS SERVICES
PH 916-264-5427

SPECIALIZED SERVICES
PH 916-264-7200

WWW.CITY.OFSACRAMENTO.ORG

February 26, 2002

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: Appeal of James Williams of the Decision of the Animal Care Services Division
Animal Control Officer regarding two dogs deemed to be vicious

LOCATION AND COUNCIL DISTRICT:

The subject address is: 7920 Reindeer Way, Sacramento, CA 95823
Council District 7

STAFF RECOMMENDATION: This report is for information only.

CONTACT PERSON: Carolyn E. Hoover, 264-7200
Valerie A. Burrowes, 264-5799

FOR COUNCIL MEETING OF: February 26, 2002

SUMMARY:

On January 30, 2002 the City Clerk determined the appeal may involve a lengthy fact finding process which would be more appropriately accommodated by a formal hearing before a hearing officer. The hearing for this appeal has been scheduled to be held at **9:00 a.m. on Wednesday, March 13, 2002**, at the McGeorge School of Law, 3455 Fifth Avenue, Sacramento, California, 95817, in **Rooms S-9 and S-10**.

COMMITTEE/COMMISSION ACTION: None

BACKGROUND INFORMATION:

Pursuant to City Code Chapter 1.24.060 of the Sacramento City Code, attached is the appeal of Mr. James Williams of the action taken by the Senior Animal Control Officer, as set forth in a letter dated January 18, 2002, attached to this report. In deeming both animals to be vicious, Sacramento City Animal Control Ordinance, Section 9.44.700 (B) and (D), was cited.

FINANCIAL CONSIDERATIONS:

The estimated cost is \$2,136. The funds are available from the Development Services, Animal Control budget.

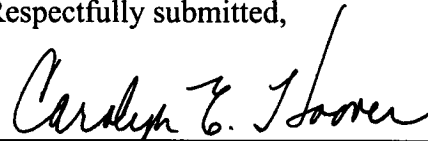
POLICY CONSIDERATIONS:

The current policy regarding administrative appeals is consistent with procedures specified in the Sacramento City Code.

ESBD CONSIDERATIONS:

Not applicable.

Respectfully submitted,



Carolyn E. Hoover, Deputy City Clerk



Valerie A. Burrowes, City Clerk

Attachments:

cc: Hearing Officer, McGeorge School of Law
Deputy City Attorney Ernest Shimizu
Hector Cazares, Animal Care Services Division Manager
Pete Alarcon, Senior Animal Control Officer
File



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February 14, 2002

James Williams
7920 Reindeer Way
Sacramento CA 95823

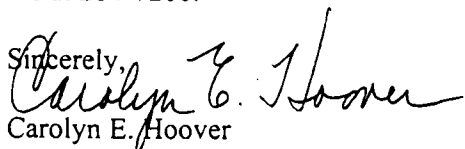
SUBJECT: ADMINISTRATIVE APPEAL HEARING

Dear Mr. Williams:

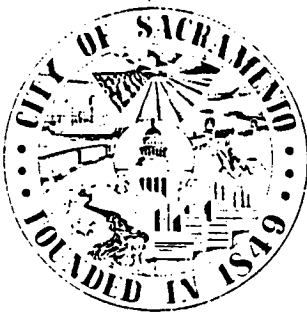
In accordance with Chapter 1.24.060 of the Sacramento City Code, it has been determined that your appeal regarding the determination of the Animal Control Officer deeming your dogs to be vicious animals will involve a lengthy fact finding process and has been scheduled for a formal hearing before a hearing officer.

Your appeal will be heard on Wednesday, March 13, 2002 at the hour of 9:00 a.m. at McGeorge School of Law, 3455 Fifth Avenue, Sacramento CA 95817, in Room S9-10. You have the right to bring an attorney or other representative to assist you at the hearing.

Under Chapter 1.24.090 of the Sacramento City Code, the decision of the Hearing Officer is final and no appeal may be taken to the City Council. If you have any questions concerning this matter, you may call me at 264-7200.

Sincerely,

Carolyn E. Hoover
Deputy City Clerk

cc: Hearing Officer, McGeorge School of Law
Ernest Shimizu, Deputy City Attorney
Hector Cazares, Manager, Animal Care Services
Pete Alarcon, Senior Animal Control Officer
File



RECEIVED
CITY CLERK'S OFFICE
CITY OF SACRAMENTO

JAN 30 3 07 PM '02

NOTICE OF APPEAL
PLEASE PRINT

DATE: 1/29/02

Animal care Services

Pursuant to Section 2.320, City Code, I wish to appeal the decision of Animal Control Dist

made on 1/18/02 regarding my pets being deemed vicious as required

by Ordinance Section 9.44.700B City Code.

MY REASON FOR APPEALING IS AS FOLLOWS:

I don't feel my pets were judged fairly

I feel more people should have been questioned about the nature of my pets.

I don't feel a thorough investigation was done.

NAME: James Williams

ADDRESS: 7296 Reindeer way

CITY: Sacramento STATE: CA ZIP: 95823

TELEPHONE NUMBER: (916) 395-8956

SIGNATURE: J Williams



DEPARTMENT OF
PUBLIC WORKS

ANIMAL CARE SERVICES DIVISION

HECTOR R. CAZARES, MANAGER

CITY OF SACRAMENTO
CALIFORNIA

2127 FRONT STREET
SACRAMENTO CA
95818-1106

PH 916-264-7387
FAX 916-264-5386

January 18, 2002

James Williams
7920 Reindeer Way
Sacramento, CA. 95823

CERIFIED MAIL-RETURN RECEIPT REQUESTED ARTICLE NO. 7000 1530 0002 7647 5504

Dear Mr. Williams:

Your two dogs, (A) a , male, brown Pitbull, and (B) a female, brown Pitbull have been deemed vicious animals under the Sacramento City Animal Control Ordinance, Section 9.44.700 (B) and (D).

On January 13th, 2002, your two dogs (A) a , male, brown Pitbull, and (B) a female, brown Pitbull, without provocation, attacked and killed a dog belonging to Mr. Rafael Miles, of 7911 Deerlake Dr., Sacramento, CA..

On January 13, 2002, your two dogs (A) a , male, brown Pitbull, and (B) a female, brown Pitbull, without provocation, acted in a behavior, that constituted a physical threat of bodily harm to 7 year old Ester Miles, in a place where she was conducting herself peaceably and lawfully.

We regret to inform you that your dogs will be euthanized on February 2nd, 2002.


James Williams
Vicious Animal Letter
(Page 2)

If you wish to contest the determination of the Chief Animal Control Officer (or his designee), you must file a notice of such appeal with the City Clerk's office at 915 I St., Room 300, City Hall, Sacramento, CA., by 5:00 p.m., February 1st, 2002. The non-refundable fee for such appeal is \$150.00 per animal. For information regarding the filing fee, please contact the City Clerk's Office at 264-7200.

Respectively,



Hector Cazares
Division Manager



Pedro (Pete) Alarcon
Senior Animal Control Officer

cc: Carolyn Hoover, City Clerk's Office
City Attorney's Office