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CITY OF SACRAMENTO

OFFICE OF THE CITY CLERK

915 I STREET
CITY HALL ROOM 203

SACRAMENTO, CALIFORNIA 95814
TELEPHONE (916) 449-5426

LORRAINE MAGANA
CITY CLERK

April 12, 1985

CITY MANAGER'S OFFICE
RECEIVED
APR 15 1985

Mayor and City Council
City Hall
Sacramento, CA 95814

APPROVED
BY THE CITY COUNCIL

APR 16 1985

OFFICE OF THE
CITY CLERK

Members in Session:

SUBJECT: Appeal of Lori Sells from the decision of the
Animal Control Division regarding a vicious animal

SUMMARY

Attached is the appeal of Lori Sells from the decision of the Animal Control Division, as required by Section 6.104 of the Sacramento City Code.

BACKGROUND

Under Sections 2.323 and 2.324 of the City Code, the Council may appoint a hearing examiner to hear the appeal if it finds that "the appeal may involve a lengthy factfinding process which would be more appropriately accommodated by a formal hearing before a hearing examiner."

FINANCIAL DATA

The estimated cost would be \$100.00 and would be available from the Animal Control Division budget.

RECOMMENDATIONS

1. If the Council should decide to appoint a hearing examiner, it is recommended that the following motion be adopted: "The Council hereby determines pursuant to Section 2.324, City

City Council
April 12, 1985
Page 2

Code, that this appeal will involve a lengthy factfinding process which will be more appropriately accommodated by a formal hearing before a hearing examiner". Therefore, the Council appoints Barry Martin as Hearing Examiner to hear the appeal on Thursday, May 2, 1985, at the hour of 9:00 A.M. at McGeorge School of Law, 3287 Fifth Avenue, Sacramento, California.

- 2. If the Council should decide to consider the appeal itself, it is recommended that the hearing be set for April 30, 1985.

Respectfully submitted,

Lorraine Magana
City Clerk

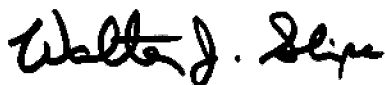


Anne J. Mason
Assistant City Clerk

LM/AJM/dah
Attachment

cc: Barry Martin, Hearing Examiner
Lori Sells, Appellant
Animal Control Division

RECOMMENDATION APPROVED:



Walter J. Slipe
City Manager

April 16, 1985
District 5

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CITY OF SACRAMENTO

NOTICE OF APPEAL

APR 10 11 31 AM '85

DATE: April 10, 1985

Pursuant to Section 2.320, City Code, I wish to appeal the decision _____

Animal Control made on April 8, 1985
regarding putting the dog to sleep.

as required by Sec 6.101, City Code.

My reason for appealing is as follows: the dog is a very man bred,
this is the first time he has ever bitten someone.
He is two yrs, old very well man bred, even tempered.
I had previously told Lyndee's mother, that I
didn't want the kids down there with the dog unattended,
reason being, that he had never been around kids &
doesn't know the difference between children & adults.
as far as playing with them goes. the response was (don't worry
about it.) Also they entered my house without ~~invitation~~ ^{invitation.}

PLEASE PRINT:

NAME: Lori Sells

ADDRESS: 2987 Hunt Drive

CITY: Rancho Cordova STATE: Ca. ZIP CODE: 95670

TELEPHONE NUMBER: 363-2122

Lori Sells
SIGNATURE

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CITY OF SACRAMENTO

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CITY OF SACRAMENTO

DEPARTMENT OF PUBLIC WORKS

ANIMAL CONTROL DIVISION

Ruben Mora
Chief of Animal Control

April 8, 1985

Ms. Lori Sells
2987 Hunt Drive
Rancho Cordova, CA 95670

Dear Ms. Sells:

Your dog, a male, beige and black Akita, has been deemed a vicious animal under the Sacramento City Animal Control Ordinance, Section 6.101, (a), (c).

On March 25, 1985, your dog, without provocation, attacked and bit a Lyndsey Holms, a six year old child of 2640 - 23rd Avenue, Sacramento, CA 95820.

You are hereby notified that your animal will be put to sleep on April 19, 1985.

If you would like to appeal the determination of the Chief Animal Control Officer to a hearing officer, you must file a notice of such appeal with the City Clerk's Office at 915 "I" Street, Room 203, City Hall, Sacramento, CA before April 18, 1985.

Sincerely,

Ruben Mora
Chief Animal Control Officer

cc: City Clerk
City Attorney
Deputy Director of Public Services