

1.16

OFFICE OF THE  
CITY CLERK

CITY OF SACRAMENTO  
CALIFORNIA

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

VALERIE A. BURROWES, CMC/AAE  
CITY CLERK

VIRGINIA K. HENRY, CMC/AAE  
ASSISTANT CITY CLERK

FAX 916-264-7672  
HTTP://WWW.SACTO.ORG

ADMINISTRATION  
PH 916-264-5799

OPERATIONAL SERVICES  
PH 916-264-5426

SPECIALIZED SERVICES  
PH 916-264-7200

December 9, 1997

City Council  
Sacramento, California

Honorable Members in Session:

SUBJECT: Appeal of Casanova Claybrook from the decision of the Animal Control Division regarding a dog which has been deemed a vicious animal

LOCATION AND COUNCIL DISTRICT:

The subject address is 2812 Wiese Way, Sacramento CA 95833, in Council District 1.

STAFF RECOMMENDATION: This report is for information only.

CONTACT PERSON: Carolyn E. Hoover, Phone No. 264-5426  
Valerie Burrowes, Phone No. 264-5799

FOR COUNCIL MEETING OF: December 16, 1997

SUMMARY:

Attached is the appeal of Casanova Claybrook requesting relief from the decision of the Animal Control Division regarding a dog which has been deemed vicious, as required by Section 6.09.101(b) and 6.09.101(c) of the Sacramento City Code.

COMMITTEE/COMMISSION ACTION: None

BACKGROUND INFORMATION:

On December 4, 1997 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 heard on Monday, January 5, 1998, at the McGeorge School of Law, 3455 Fifth Avenue, Sacramento, California, 95817.

City Council  
December 9, 1997  
Page Two

FINANCIAL CONSIDERATIONS:

The estimated cost is \$450 and the funds are available from the Public Works Department, Animal Control Division budget.

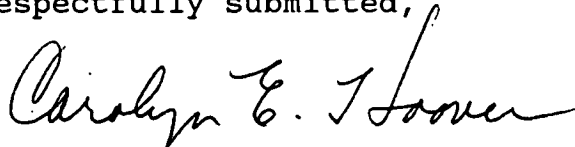
POLICY CONSIDERATIONS:

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

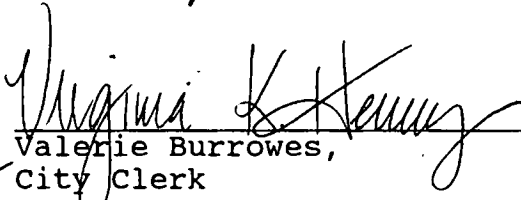
MBE/WBE EFFORTS:

Administrative appeals referred to McGeorge School of Law have no impact on the City of Sacramento's MBE/WBE goals. Hearing Officers are employees of the McGeorge School of Law and not subject to MBE/WBE goals. Pursuant to City Council Agreement No. 87-188, adopted on February 2, 1988, McGeorge School of Law certifies that any goods or services provided and any persons employed pursuant to the Agreement shall be without discrimination based on sex, color, religion, national origin, ancestry, handicap or sexual orientation.

Respectfully submitted,



Carolyn E. Hoover, T.C. III

for   
Valerie Burrowes,  
City Clerk

Attachment

cc: Hearing Officer, McGeorge School of Law  
Deputy City Attorney Gustavo Martinez  
Ruben Mora, Chief Animal Control Officer



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CERTIFIED MAIL - RETURN RECEIPT REQUESTED  
FIRST CLASS MAIL

December 9, 1997

Casanova Claybrook  
2812 Wiese Way  
Sacramento CA 95833

**SUBJECT: ADMINISTRATIVE APPEAL HEARING**

Dear Mr. Claybrook:

In accordance with Chapter 2.06.450 of the Sacramento City Code, it has been determined that your appeal regarding a dog which has been deemed vicious will involve a lengthy fact finding process and has been scheduled for a formal hearing before a hearing officer.

A Hearing Officer will hear your appeal on Monday, January 5, 1998 at the hour of 9:00 a.m. at McGeorge School of Law, 3455 Fifth Avenue, Sacramento, California, 2nd floor. You have the right to bring an attorney or other representative to assist you at the hearing.

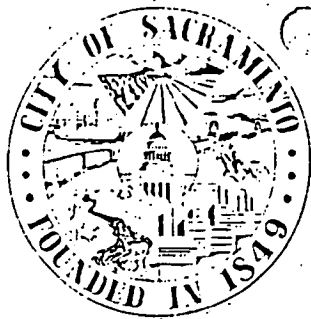
Under Chapter 2.06.480 of the Sacramento City Code, the decision of the Hearing Officer is final and no appeal may be taken to the City Council.

If you have any questions on this matter, you may call me at 264-5427.

Sincerely,

Carolyn E. Hoover  
Administrative Appeals Coordinator

cc: Hearing Officer, McGeorge School of Law  
Deputy City Attorney Gustavo Martinez  
Ruben Mora, Chief Animal Control Officer



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CITY OF SACRAMENTO

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CITY OF SACRAMENTO  
DEC 7 9 16 AM '97

*deleted - sent back for review to file  
Cassidy  
Harker  
12/1/97*

DEC 4 8 34 AM '97  
**NOTICE OF APPEAL**  
**PLEASE PRINT**

DATE: 11-24-97

Pursuant to Section 2.320, City Code, I wish to appeal the decision of 6.09.101

made on Sept 25 1997 regarding Psychosis as required

by \_\_\_\_\_ City Code.

MY REASON FOR APPEALING IS AS FOLLOWS:

#1 Psychosis is a family pet, and also, regarded as one of our kids! He is not! And never will be vicious At the Date of this incident I Casanova Jim 7:45 was behind my house with my dog for almost an hour because I did not have to work that day. also #2 I feel that the man Jim Christian had more than ample enough time to restrain his (Lose) Dog, but he let that White Shepa get over, to our nine month old puppy to attack him And I started yelling at him about it, and that my other dogs were out there: he started blowing his whistle to try to call  
NAME: Casanova Claybrooks

ADDRESS: 2812 wise way

CITY: Sacramento STATE Calif ZIP 95833

TELEPHONE NUMBER: (916) 446 0403

SIGNATURE: Casanova Claybrooks

his dog Buck! But my other dog's looked up and seen that Big Dog hounding there baby. and they rush to his side (Hey I would have been scared to IF I saw this big dog coming at me! But Psychosis Did not Attack him! and he know this Jim Did not like the control I have over my Dogs and he tried to Provoke as reponse I feel trying to cause a Fight. #



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CITY CLERK'S OFFICE  
CITY OF SACRAMENTO

Nov 19 1 56 PM '97

DEPARTMENT OF  
PUBLIC WORKS

CITY OF SACRAMENTO  
CALIFORNIA

2127 FRONT STREET  
SACRAMENTO, CA  
95818-1106

ANIMAL CONTROL DIVISION

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

November 17, 1997

Casanova Claybrook  
2812 Wiese Way  
Sacramento, CA. 95833

Dear Mr. Casanova:

Your dog, a black and tan, male Rottweiler, named "Physcosis", has been deemed a vicious animal under the Sacramento City Animal Control Ordinance, Sections 6.09.101 (b), "An attack, without provocation, on another animal or livestock which occurs off the property of the owner of the attacking animal", and 6.09.101, (c) "An attack, without provocation, that results in an injury to a person in a place where such person is conducting himself peaceably and lawfully".

On September 25, 1997, your dogs, a black and tan, male Rottweiler, named "Physcosis", without provocation, attacked and injured a dog belonging to Mr. Jim Christianson.

On September 25, 1997, your dog, a black and tan, male Rottweiler, named "Physcosis", without provocation, attacked and injured Mr. Jim Christianson, while he was in the process of protecting his dog.

You are hereby notified that your dog will be put to sleep on December 8, 1997.

If you wish to contest the determination of the Chief Animal Control Officer, you must file a notice of such appeal with the City of Sacramento Clerk's office at 915 I St., Room 300, City Hall, Sacramento, CA., before December 7, 1997. 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 264-5427.

Respectively

Ruben Mora  
Chief Animal Control Officer

Dennis J. Kubo  
Division Manager

cc: Carolyn Hoover, City Clerk's office  
Diane Balter, Deputy City Attorney