

Regular Council Meeting

June 20, 2024

FRESNO CITY COUNCIL



Supplement Packet

ITEM(S)

2-EE (ID 24-862)

*** RESOLUTION - To provide a temporary moratorium on the issuance of new unaltered dog licenses (Subject To Mayor's Veto).

Contents of Supplement: Updated Resolution

Item(s)

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

RECEIVED
2024 JUN 19 P 2:24
CITY OF FRESNO
CITY CLERK'S OFFICE

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO PROVIDE A TEMPORARY MORATORIUM ON THE ISSUANCE OF NEW UNALTERED DOG LICENSES, INCREASE PENALTIES, AND DIRECT THE CITY MANAGER TO DEVELOP A CITYWIDE PROGRAM TO REDUCE UNAUTHORIZED BREEDING

WHEREAS, the City of Fresno is experiencing a dire crisis due to the overcrowding of dogs in the City of Fresno Animal Center (Animal Center); and

WHEREAS, the current dog population in the Animal Center has exceeded kennel capacity; and

WHEREAS, current shelter overpopulation is not ideal for the shelter dogs, escalates costs of animal care and control and poses an increasing threat to public health and safety; and

WHEREAS, the City of Fresno Municipal Code (FMC) Section 10-328 requires all dogs over the age of five months to be spayed or neutered, unless their owners purchase the appropriate license for the privilege of maintaining the animal intact and allowing it to breed; and

WHEREAS, a temporary moratorium on the issuance of new unaltered dog licenses during periods of shelters overpopulation will help reduce the population of dogs and greatly benefit the welfare of dogs in the Animal Center.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The City shall not issue any new unaltered dog licenses pursuant to FMC 10-328, until the three-month moving average of the daily inventory count of all dogs at

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: AMK

227174v1

Resolution No. _____

the Animal Center is equal to or less than 75 percent of the Animal Center's total dog kennel capacity. Thereafter, this initial moratorium shall be lifted, and the City may resume issuing the unaltered dog licenses in accordance with FMC 10-328.

2. If any time after the lifting of the initial moratorium, the three-month moving average of the daily inventory count of all dogs at the Animal Center is more than 75 percent of the Animal Center's total dog kennel capacity, an intermittent moratorium shall be imposed on the City's unaltered dog license operations for new unaltered dog licenses until the three-month moving average of the daily inventory count of all dogs at the Animal Center is equal to or less than 75 percent of the Animal Center's total dog kennel capacity. Thereafter, the intermittent moratorium shall be lifted, and the City shall resume issuing unaltered dog licenses. For purposes of this section, "dog kennel capacity" shall mean the total number of kennels at the Animal Center that are designated for the general housing of dogs and shall not include kennels designated for temporary holding purposes such as for isolation or quarantine.

3. Any person who offers or provides, whether for compensation or otherwise, any dog for sale or other type of transfer, shall disclose to the transferee information regarding the license requirements of the City of Fresno applicable to the transferred animal.

4. Any advertisement to the public regarding the availability of any dogs for sale or transfer, which was bred for the purpose of selling or transfer within the City, whether for compensation or otherwise, shall prominently display the unaltered dog license.

5. Any dog owners whose animal has been either bred or sold or transferred without an unaltered dog license shall constitute a misdemeanor.

6. Any commercial operation that allows for the sale or transfer of dogs within its premises without a proper unaltered dog license shall constitute as a misdemeanor.

7. Any person who violates this resolution shall be assessed by means of administrative citations and shall be payable directly to the City of Fresno. Administrative fees for violation of this resolution shall be assessed at \$1,000.00 per dog. Each and every day a violation exists constitutes a separate and distinct offense.

8. Breeding shall be deemed to have occurred upon the production of offspring, whether such offspring results from sexual activity or artificial insemination, and whether such sexual activity was intentional or the result of improper confinement.

9. The City Manager shall develop a citywide program by ordinance to reduce unauthorized breeding.

10. This resolution shall be effective upon final approval.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2024.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2024
Mayor Approval/No Return: _____, 2024
Mayor Veto: _____, 2024
Council Override Vote: _____, 2024

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Angela M. Karst Date
Senior Deputy City Attorney