

COUNCIL AGENDA – JUNE 3, 2014

SUBJECT: SECOND READING – ORDINANCE 1812, ESTABLISHING AN ANIMAL CONTROL COMMISSION


SOURCE: ADMINISTRATIVE SERVICES/CITY CLERK DIVISION


COMMENT: Ordinance No. 1812, An Ordinance of the City Council of the City of Porterville Adding Article VII – Animal Control Commission to Chapter 5 of the Porterville Municipal Code, was given first reading on May 20, 2014, and has been printed.


RECOMMENDATION: That the Council give Second Reading to Ordinance No. 1812, waive further reading, and adopt said Ordinance.

ATTACHMENT: Ordinance No. 1812

Item No. 18


Dir


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CM Acting

ORDINANCE NO. 1812

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF PORTERVILLE ADDING ARTICLE VII – ANIMAL CONTROL COMMISSION
TO CHAPTER 5 OF THE PORTERVILLE MUNICIPAL CODE

WHEREAS, the City Council of the City of Porterville wishes to establish an Animal Control Commission to serve in an advisory capacity to the City Council.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PORTERVILLE
DOES ORDAIN AS FOLLOWS:

Section 1. Article VII of Chapter 5 of the Porterville Municipal Code is hereby added as follows:

Chapter 5
Article VII – Animal Control Commission

5-7.1 Established.

An Animal Control Commission is established in and for the City of Porterville. The Animal Control Commission shall serve in an advisory capacity to the City Council.

5-7.2 Composition.

The Animal Control Commission shall consist of five (5) members, who shall be residents of the city of Porterville. Commissioners shall be appointed by the City Council at its complete discretion by a majority vote. Members of the Commission shall be representative of a cross-section of the community.

5-7.3 Compensation.

Members of the Animal Control Commission shall serve without compensation.

5-7.4 Term of Office/Removal.

The term of office shall be four (4) years with terms staggered to prevent concurrent expiration of terms. All Commission members shall serve at the pleasure of the City Council and may be removed by a majority vote of the City Council at any time and for any reason.

5-7.5 Vacancies.

Vacancies, occurring otherwise than by expiration of the terms, shall be filled by appointment by the City Council as soon as possible; such appointee is to serve for the unexpired term of the vacant office.

5-7.6 Appointment of Chairperson and Vice Chairperson.

The Animal Control Commission shall appoint one of its members Chairperson, and one of them Vice Chairperson.

5-7.7 Term of Officers.

The officers thus appointed shall serve one (1) year, until their successors in office have been appointed by the Animal Control Commission.

5-7.8 Meetings and Records.

The Animal Control Commission shall hold meetings regularly as determined by the Commission and shall designate the time and place thereof. The Commission may hold as many meetings as determined necessary for the performance of the duties prescribed in this chapter. The meetings shall be held in compliance with the Brown Act and all applicable laws, and the meetings and records of attendance shall be public. The Commission shall adopt its own rules of procedure and keep a record of its proceedings. A record of attendance shall be kept regularly and reported to the City Council at least once per year. Members are expected to have at least 75% attendance based upon the Commission's regular meeting schedule (e.g. 9 out of 12 meetings if held monthly, and 3 out of 4 if held quarterly). Members who fail to meet the attendance requirement automatically vacate their seat and the vacancies shall be filled per Section 5B-5.

5-7.9 Quorum.

Three (3) members shall constitute a quorum for the transaction of business.

5-7.10 General Powers and Duties of Commission.

The Animal Control Commission shall:

- A. Advise the City Council and staff on any matters concerning animal control and shelter programs;
- B. Make recommendations to the City Council and staff concerning regulations affecting animals and the care, control, and treatment of animals;
- C. Make recommendations to the City Council and staff to strengthen the City's animal control and shelter programs;
- D. Engage in a long-term planning process through which it identifies major priorities and provides recommendations for the City Council for policies and procedures on animal control and shelter program operations;
- E. Promote public awareness of the goals and operations of the animal shelters and to enhance community relations with respect to animal control program operations;
- F. To advise and assist the City Council and staff in conducting public education and outreach programs to city residents regarding animal owner responsibility for licensing, spaying and neutering, and proper care of animals;
- G. To review and recommend proactive enforcement programs that will result in reducing cases of animal overpopulation, neglect, abuse, and public nuisance;
- H. To review and provide recommendations to the City Council and staff on all proposed amendments to Chapter 5—Animal Control;
- I. Serve as a sounding board for staff to review their plans and ideas; and
- J. Act on any matters referred by the City Council or staff in accordance with the instructions provided with the said referrals.

Section 2. Severability. Should any provision of this Ordinance, or its application to any person or circumstance, be determined by a court of competent jurisdiction to be unlawful, unenforceable or otherwise void, that determination shall have no effect on any other provision of this Ordinance or the application of this Ordinance to any other person or circumstance and, or that end, the provisions hereof are severable.

Section 3. Effective Date. This Ordinance shall take effect thirty days after adoption as provided by Porterville Charter Section 12.

Section 4. Certification. The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published according to law.

PASSED, APPROVED AND ADOPTED, this 3rd day of June, 2014.

Cameron J. Hamilton, Mayor

ATTEST:

John D. Lollis, City Clerk

By _____
Patrice Hildreth, Chief Deputy City Clerk