

**ORDINANCE NO. 93-034**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF JUN 0 8 1993

**AN ORDINANCE AMENDING SECTIONS 6.07.084, 6.07.086 AND 6.05.054 OF THE SACRAMENTO CITY CODE, TO REQUIRE THAT ANIMALS BE ALTERED BEFORE ADOPTION FROM THE CITY ANIMAL CONTROL CENTER, THAT DOGS IMPOUNDED MORE THAN ONCE FOR BEING AT LARGE BE ALTERED BEFORE REDEMPTION, AND THAT NO MORE THAN SEVEN CATS BE KEPT AT ONE DWELLING**

**BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:**

**SECTION 1.**

Section 6.07.084 of the Sacramento City Code is hereby amended to read as follows:

6.07.084 Disposition of unclaimed animals.

- (a) Except as otherwise provided in this title, any impounded animal which is not redeemed within the applicable holding period specified by this title may, in the discretion of the chief animal control officer, be sold for not less than the amount of redemption fees set forth in Sections 6.07.085 and 6.07.086, plus the cost of alteration as set forth in subsection (b) of this section, destroyed or otherwise disposed of; provided, however, that no animal shall be sold, destroyed, or otherwise disposed of until seventy-two hours after notice of the impoundment has been given to the owner, if the owner be known.

If the animal is then sold, the receipt signed by the chief animal control officer shall be a valid title to the purchaser.

Notwithstanding any other provisions of this title to the contrary, an impounded animal which is determined by the chief animal control officer to constitute a menace to health may be destroyed or otherwise disposed of as ordered by the chief animal control officer.

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- (b) No dog, cat or swine shall be sold pursuant to this section unless the animal was spayed or neutered prior to its impoundment or is spayed or neutered at the purchaser's expense prior to delivery of the animal to the purchaser.

**SECTION 2.**

Section 6.07.086 of the Sacramento City Code is hereby amended to read as follows:

**6.07.086 Redemption subsequent to first redemption.**

- (a) **Required alteration.** In order to reduce the likelihood that dogs allowed to be at large shall breed unwanted animals, any dog impounded for being at large which previously has been redeemed from the animal control center after impoundment for being at large shall be spayed or neutered at the redeeming owner's expense prior to a second or subsequent redemption. The chief animal control officer may waive this requirement when there are extenuating circumstances that justify waiver.

In the event the chief animal control officer determines that a dog shall be spayed or neutered at the redeeming owner's expense prior to redemption, the chief animal control officer shall notify the owner of this requirement in writing and inform the owner of the owner's right to appeal as provided by this section.

The owner of the animal may, prior to the date specified by the chief animal control officer in the written notice, appeal the determination of the chief animal control officer by filing a notice of such appeal with the chief animal control officer. The city manager shall appoint a hearing officer, who may be an employee of the City of Sacramento.

The hearing shall be informal. The hearing officer shall determine, based on evidence presented, whether the chief animal control officer correctly determined that the requirement to spay or neuter applies, and if so, whether there are any extenuating circumstances which justify waiver of the requirement to spay or neuter, or waiver of the requirement that the owner pay for the procedure. The decision of the hearing officer shall be final.

- (b) **Redemption fees.** In addition to any payment which may be required pursuant to subsection (a), the owner of any animal which has been previously redeemed from the animal control center shall pay a redemption fee of twice the amount of the usual redemption fee for the second redemption of such animal and shall pay a redemption fee three times the amount of the usual redemption fee for the third and any subsequent

redemption, in addition to the per diem costs established by resolution of the city council, and other actual costs of impoundment.

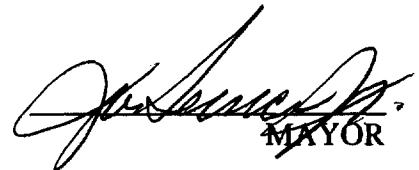
**SECTION 3.**

Section 6.05.054 is hereby amended to read as follows:

6.05.054 Number of dogs, swine or cats per dwelling unit.

- (a) It is unlawful for any person or group of persons to keep, harbor, or maintain in or about any dwelling unit, or yard area adjacent thereto, more than three dogs or three swine permitted by Section 6.05.050, or any combination thereof exceeding three animals, each of which is over the age of four months, unless the owner is duly authorized to operate a kennel under the Zoning Ordinance of the City of Sacramento.
- (b) It is unlawful for any person or group of persons to keep, harbor, or maintain in or about any dwelling unit, or yard area adjacent thereto, more than seven cats, each of which is over the age of eight weeks.
- (c) For the purposes of this section the term "dwelling unit" shall be defined in the same manner as such term is defined in the Zoning Ordinance of the City of Sacramento.

DATE PASSED FOR PUBLICATION: June 1, 1993  
DATE ENACTED: June 8, 1993  
DATE EFFECTIVE: July 8, 1993

  
MAYOR

ATTEST:

  
Valerie A. Burrows  
CITY CLERK