

ORDINANCE NO. 3512

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
TITLE 6 OF THE CHULA VISTA MUNICIPAL CODE TO
ALLOW THE KEEPING OF ONE MINIATURE PIG PER
DWELLING UNIT

WHEREAS, in May 1991 the Chula Vista City Council created an exception to the longstanding ban on keeping hogs, pigs and goats in the city; and

WHEREAS, in Ordinance No. 2456 the City Council unanimously amended Section 6.04.060 of the Chula Vista Municipal Code to expressly allow the keeping of one miniature pig per dwelling unit, subject to sanitation, restraint and vehicle transportation safety requirements; and

WHEREAS, more than 20 years later, in February 2012 the City Council unanimously approved numerous changes to Title 6, Animals, of the Chula Vista Municipal Code; and

WHEREAS, these amendments and additions in Ordinance No. 3226 were to update Title 6; and

WHEREAS, staff discovered that because of a clerical error, the provision allowing the keeping of one miniature pig per dwelling unit (CVMC 6.04.060(c)) was omitted from the staff report and Ordinance No. 3226, adopted by City Council in February 2012; and

WHEREAS, complaints of any nature about miniature pigs in Chula Vista are rare, according to Animal Care Facility staff, a total of thirteen (13) complaints have been received since 2015. Those complaints range from sanitation, stray pigs running loose, and to investigate the welfare of a pig. Staff successfully resolved most of these complaints with warnings; and

WHEREAS, the proposed ordinance amendment responds to a referral from Council on August regarding miniature pigs; and

WHEREAS, restoring Subsection C to Section 6.04.060 would correct the clerical error and ensure that Title 6, Animals, properly reflects the City Council's May 1991 adoption of Ordinance No. 2456, as well as the state of the law allowing the keeping of one miniature pig per dwelling unit in Chula Vista, subject to specific size and weight restrictions, sanitation, restraint and vehicle transportation safety requirements.

NOW, THEREFORE, the City Council of the City of Chula Vista does ordain as follows:

Section I.

Title 6, Animals, Section 6.04.060, Swine, roosters and goats prohibited – Exceptions, is amended to restore Subsection C, regarding the keeping one miniature pig per dwelling unit, as follows:

Ordinance No. 3512

Page No. 2

Section 6.04.060 Swine, roosters and goats prohibited – Exceptions.

The keeping of hogs, pigs or other swine, roosters or goats within the City is expressly prohibited:

- A. Where the keeping of any such animals was lawfully established and existing in an area thereafter annexed to the City, such keeping may, without enlargement, be continued for a period not to exceed three years after date of annexation of the area wherein contained;
- B. Such animals not exceeding two in number may be maintained for bona fide educational purposes upon application of a public or private school to the City Council and approval by the City Council, both as to the type and number of animals to be kept for such purposes and the manner of their keeping;
- C. One miniature pig, not exceeding 18 inches at the shoulder or 100 pounds, may be kept per dwelling unit. However, the breeding of miniature pigs, for any and all purposes, is expressly prohibited. Owners of miniature pigs shall comply with the regulations existing in CVMC 6.04.110 (sanitation) and CVMC Chapters 6.24 (restraint) and 6.26 (vehicular transport safety.) In addition to other penal sanctions, an animal control officer or peace officer of the City may, after such notice to the owner as the circumstances permit, seize and remove a miniature pig to an animal shelter.

Section II. Severability

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

Section III. Construction

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

Section IV. Effective Date

This Ordinance shall take effect and be in force on the thirtieth day after its final passage.

Section V. Publication

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

Presented by

DocuSigned by:
Daniel E. DeSousa
C6C82EAE8522418...

Daniel E. DeSousa
Interim Animal Care Facility Director

Approved as to form by

DocuSigned by:
Glen R. Googins
CF40650850444BF...

Glen R. Googins
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 28th day of September 2021, by the following vote:

AYES:	Councilmembers:	Cardenas, Galvez, McCann, Padilla, and Casillas Salas
NAYS:	Councilmembers:	None
ABSENT:	Councilmembers:	None

DocuSigned by:
Mary Casillas Salas
062BFD7C0386456...

Mary Casillas Salas, Mayor

ATTEST:

DocuSigned by:
Kerry K. Bigelow
3074D104EAF342E...

Kerry K. Bigelow, MMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Kerry K. Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3512 had its first reading at a regular meeting held on the 14th day of September 2021, and its second reading and adoption at a regular meeting of said City Council held on the 28th day of September 2021; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

10/6/2021

Dated

DocuSigned by:
Kerry K. Bigelow
3074D104EAF342E...

Kerry K. Bigelow, MMC, City Clerk