

ORDINANCE NO. 3552

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
SECTIONS IN TITLE 6 OF THE CHULA VISTA MUNICIPAL
CODE RELATING TO STRAY HOLDING PERIODS AND
HARBORING STRAYS

WHEREAS, in 2012 the City Council adopted Ordinance No. 3226, introducing a stray hold for dogs and cats of 4 business days, not including day of impoundment; and

WHEREAS, State-mandated stray holds, upon repeal of unmandated sections of Hayden's Law, require a 72-hour stray hold for dogs and cats; and

WHEREAS, Hayden's Law requires, pursuant to California Food and Agriculture sections 31108 and 37152, that stray dogs and cats be held for owner redemption for at least three days, not including the day of impoundment; and

WHEREAS, the proposed amendment Chula Vista Municipal Code Section 6.12.042 would bring local municipal codes into congruence with state codes; and

WHEREAS, in 1976 the Chula Vista City Council adopted Ordinance No. 1706, introducing a requirement to "turn over" stray dogs to the Animal Shelter within 24 hours; and

WHEREAS, technologies now exist to aid in the reunification of pets and families within and by the community, with statistical data proving higher rates of return within the community; and

WHEREAS, return rates in shelters have decreased, with the cost to reclaim cited as a common reason not to reclaim; and

WHEREAS, the proposed amendment to Chula Vista Municipal Code Section 6.24.190 would bring the regulations into congruence with national sheltering standards.

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

Section I. Chula Vista Municipal Code Sections 6.12.042 and 6.24.190 are hereby amended as follows:

6.12.042 Impound holding period for cats and dogs

A. The required holding period for a stray dog/cat impounded pursuant to this chapter shall be a minimum of three days, not including the day of impoundment.

[Subsection B remains unchanged.]

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6.24.190 Found strays – notification to the Chula Vista Animal Care Facility required.

Any person finding a lost or stray dog shall notify the Chula Vista Animal Care Facility within 72 hours.

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.

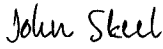
Section V. Publication

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


[SIGNATURES ON THE FOLLOWING PAGE]

Presented by

Approved as to form by

DocuSigned by:

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 John Skeel
 Director of Animal Services

DocuSigned by:

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 Jill D.S. Maland
 Lounsbury Ferguson Altona & Peak
 Acting City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 25th day of July 2023, by the following vote:

AYES:	Councilmembers:	Cardenas, Chavez, Gonzalez, Preciado, and McCann
NAYS:	Councilmembers:	None
ABSENT:	Councilmembers:	None

DocuSigned by:

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 John McCann, Mayor

ATTEST:

DocuSigned by:

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 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. 3552 had its first reading at a regular meeting held on the 11th day of July 2023, and its second reading and adoption at a regular meeting of said City Council held on the 25th day of July 2023 and was duly published in summary form in accordance with the requirements of state law and the City Charter.

7/31/2023

 Dated

DocuSigned by:

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 Kerry K. Bigelow, MMC, City Clerk