

## **ORDINANCE NO. 2019-12**

### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HESPERIA, CALIFORNIA, AMENDING TITLE 6, CHAPTER 6.08 OF THE HESPERIA MUNICIPAL CODE, RELATED TO ANIMAL CONTROL REGULATIONS**

**WHEREAS**, the City of Hesperia has the authority and responsibility to regulate the control of animals to protect the public health, safety, and welfare; and

**WHEREAS**, Title 6 of the Hesperia Municipal Code contains regulations related to animal care, keeping, and control; and

**WHEREAS**, in 2014 the City Council adopted amendments to the animal control regulations, including a provision for the mandatory spay or neuter of animals found off property or running loose if they were unlicensed, or licensed and repeat offenders; and

**WHEREAS**, since that time there have been situations where it is apparent that the owner is acting in good faith to keep their animal on property and is willing to pay a reclaiming fee to have the animal returned unaltered to them for purposes of breeding the animal; and

**WHEREAS**, there are provisions to allow breeding of dogs in the City; and

**WHEREAS**, having a fee available to owners to encourage them to keep their breeding animals on their property in order to avoid mandatory spay or neuter of the animal can continue the ultimate goal of animal population control in the City, and allow for legitimate breeders to continue to breed animals responsibly; and

**WHEREAS**, this fee shall recoup the costs related to administering the keeping of the animal at the shelter until retrieval by the owner; and

**WHEREAS**, all legal prerequisites to the adoption of this Ordinance have occurred.

**NOW THEREFORE**, THE HESPERIA CITY COUNCIL DOES ORDAIN AS FOLLOWS:

Section 1. All of the facts set forth in the forgoing recitals are true, correct and are adopted as findings.

Section 3. Title 6, Chapter 6.08 of the Hesperia Municipal Code is hereby amended as set forth in Exhibit "B", attached hereto.

Section 6. This Ordinance shall take effect on November 17, 2019.

Section 7. The City Council of the City of Hesperia hereby declares that should any provision, section, paragraph, sentence, or word of this Ordinance hereby adopted be rendered or declared invalid by any final court action in a court of competent jurisdiction, or by any reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences, and words shall remain in full force and effect.

Section 8. The City Clerk shall certify to the adoption of the Ordinance and shall cause the same to be posted in three (3) public places within the City of Hesperia pursuant to the provisions of Resolution 93-78.

**ADOPTED AND APPROVED** this 17<sup>th</sup> day of September, 2019

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Larry Bird, Mayor

ATTEST \_\_\_\_\_  
Melinda Sayre, City Clerk