

# City of Hesperia

## STAFF REPORT



**DATE:** September 17, 2019

**TO:** Mayor and City Council members

**FROM:** Nils Bentsen, City Manager **SECOND READING AND ADOPTION**

**BY:** Mike Blay, Assistant City Manager  
Tina Bulgarelli, Administrative Analyst

**SUBJECT:** Amendments to Title 6 of Hesperia Municipal Code – Animal Keeping

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### RECOMMENDED ACTION

It is recommended that the City Council adopt Ordinance No. 2019-12 amending Title 6 of the Hesperia Municipal Code modifying Animal Keeping regulations for mandatory spay and neuter requirements.

### BACKGROUND

On August 19, 2014, the City Council adopted Ordinance No. 2014-14 amending the Animal Keeping Regulations contained in Title 6 of the Municipal Code. One of the amendments dealt with the mandatory spay or neuter of dogs running loose or found unrestrained off the owners property. The adopted regulations require the mandatory spay or neuter of unlicensed dogs found off property. Since that time new situations have arisen that require a possible amendment to the regulations.

### ISSUES/ANALYSIS

Staff met with Animal Control staff to assess the situation regarding licensed and unlicensed dogs found off property who were subject to the mandatory spay and neuter regulations. In nearly every case, when the owner was adamant about not allowing their dog to be spayed or neutered it was due to the fact that the animal was kept for breeding purposes. Staff believes that by modifying the code to include an exemption in the form of a reclaiming fee, persons who are legitimately breeding the animal or who simply are opposed to having the animal sterilized, and who take care to keep the animal on their property for the most part, meaning they likely will not be a second time offender, will be more cognizant of the regulations and ensure that their animal is kept on property.

The fee proposed is to encourage owners to keep their animals on property and recover the costs of administering the keeping of animals at the shelter while waiting retrieval by the owner, while still allowing the City to manage the animal population when dealing with repeat offenders whose animals habitually leave their property.

### ALTERNATIVE(S)

1. Provide alternative direction to staff.

### ATTACHMENT(S)

1. Ordinance No. 2019-12
2. Exhibit A – Chapter 6.08 - Track Changes Copy
3. Exhibit B – Chapter 6.08 - Clean Copy