

66-16  
CITY COUNCIL MEETING

JUNE 16, 1982

ANIMAL CONTROL  
FINES AND FEES  
FOR REDEMPTION

City Attorney Stein apprised the Council that Mr. Paul Brewer visited his office recently with a complaint as to the minimal amount of the redemption fine for impounded cats. Mr. Stein apprised the Council that no changes had been made on redemption fees since 1944. The present redemption fee for impounded dogs is as follows:

1st offense \$2.00 per day  
2nd offense \$4.00 per day  
3rd offense \$10.00 per day

Feeding charge \$0.25 per day

The redemption fee for cats is \$0.25 per day with a \$0.10 daily feeding charge.

Mr. Brewer then addressed the Council regarding the matter, and Council discussion followed:

Councilman Pinkerton then moved the adoption of Resolution No. 82-56 to bring the cat redemption fees in line with those for the redemption of impounded dogs. The motion was seconded by Mayor Pro Tempore Murphy. Council discussion followed with the maker of the motion withdrawing his motion and the second being withdrawn.

RES. NO. 82-56

Councilman Snider then moved for adoption of Resolution No. 82-56 setting the redemption fees for impounded cats and dogs to be as follows:

1st offense \$5.00 per day  
2nd offense \$10.00 per day  
3rd offense \$15.00 per day

Feeding charge: \$1.50 per day

The motion was seconded by Councilman Pinkerton and carried by unanimous vote.

FU.  
6/16

RESOLUTION NO. 82-56

RESOLUTION AMENDING REDEMPTION FINE AND FEEDING CHARGES FOR IMPOUNDED CATS AND DOGS

RESOLVED that the City Council of the City of Lodi does hereby amend the redemption fine and feeding charge for cats and dogs impounded at the Lodi Animal Shelter effective this date.

1st offense	-	\$ 5.00
2nd offense	-	\$10.00
3rd offense	-	\$15.00
Feeding charge	-	\$ 1.50 per day

Dated: June 16, 1982

I hereby certify that Resolution No. 82-58 was passed and adopted by the City Council of the City of Lodi in a regular meeting held June 16, 1982 by the following vote:

- Ayes: Council Members - Olson, Snider, Pinkerton, Murphy and Reid
- Noes: Council Members - None
- Absent: Council Members - None

*Alice M. Reimche*  
 ALICE M. REIMCHE  
 City Clerk

# COUNCIL COMMUNICATION

TO: THE CITY COUNCIL

DATE

NO.

FROM: THE CITY MANAGER'S OFFICE

JUNE 15, 1982

SUBJECT: ANIMAL CONTROL/FINES AND FEES FOR REDEMPTION

*Brewer's Staff -*

Mr. Paul Brewer visited my office on the afternoon of June 15, 1982 with a complaint as to the minimal amount of the redemption fine for impounded cats.

Council adopted Ordinance No. 1181 dealing with Animal Control on October 24, 1979. Said ordinance stated in Section 3-20 that redemption fees and charges would be as established from time to time by resolution of the City Council. Council has made no changes in redemption fees since that time; nor since it adopted Ordinance 297 on February 2, 1944, copy attached.

As noted in Section 13 of Ordinance 297, the redemption fees for impounded dogs is as follows:

1st offense \$2.00 per day  
2nd offense \$4.00 per day  
3rd offense \$10.00 per day

Feeding Charge: \$0.25 per day

*5. -  
10. -  
15. -  
1.50 C P*

*Cat v Dog*

As noted in Section 17 of Ordinance 297, the redemption fee for cats is \$0.25 per day with a \$0.10 daily feeding charge.

Mr. Brewer plans to appear at the June 16, 1982 Council meeting to discuss this matter, and this information is supplied to you for your review and consideration.

*Ronald M. Stein*

RONALD M. STEIN  
CITY ATTORNEY

RMS:vc

attachment

*cat v dog  
Inches  
Perkins  
2/1 -  
2/1 - c*

*Res No. 82-55*

*2 P - cat v fees -  
2 M -  
2/1 -  
2/1 -  
Withdrawn*

ORDINANCE 297 ADOPTED 2/2/44

SECTION 11. Whenever any cases of rabies exist in the city or in the vicinity of the city the Chief of Police is hereby authorized to publish an order requiring every person owning or having possession of any dog to keep it confined upon private premises or else keep it effectively muzzled to prevent biting. When the period of danger from rabies has terminated, in the opinion of the Chief of Police, he shall publish a notice terminating the said order. During the period between the published notice and the termination of such order it shall be unlawful for any person owning or having possession of any dog to allow it to be so unconfined or unmuzzled and every unmuzzled dog not so confined during said period shall be taken by the poundmaster and impounded in the public pound. The notices herein referred to shall be published by posting in at least three public places in the city and by one or more publications in a newspaper published and circulated within the City of Lodi.

SECTION 12. In the event that any dog is impounded upon complaint of any person asserting that such dog has bitten some person, the poundmaster shall impound and keep such dog safely segregated during a period of at least ten days for observation for rabies, and following such period of observation, if it be found that the dog does not have rabies and if it is licensed and otherwise eligible to be returned, ~~it shall be returned to the owner~~ it shall be returned to the owner and no additional charge shall be made for the number of days added to the normal period of impound that the dog is required to be impounded for observation. If the dog is found to have rabies it shall be forthwith destroyed by the poundmaster. In the event of any statute taking precedence over the provisions of this ordinance with respect to the impounding or regulating of dogs suspected of having rabies or otherwise regulating dogs or animals then to the extent that such statutes conflict with the provisions of this ordinance such provisions hereof, respectively, shall be deemed suspended during such period of conflict.

SECTION 13. The owner or person entitled to the possession of any dog which has been impounded under the provisions of this ordinance (except under Section 9 to 11 hereof) may secure the release thereof at any time before the sale or other disposition thereof as herein provided, by paying to the poundmaster a fee of \$2.00 together with a feeding charge of 25¢ for each day or fraction of a day that said dog has been impounded, and by the payment of any unpaid license tax which is due and unpaid with respect to said dog. If the dog was impounded upon the complaint of any person asserting personal injury or property damage by said dog, said dog may not be redeemed until and unless satisfactory evidence is given to the poundmaster, in writing, by the person owning or having possession of said dog, of precautions to be taken assuring against the recurrence of any such injury or damage. In the event that a dog is impounded for the second time within the period of one year the fee to be paid to the poundmaster for the release of said dog shall be the sum of \$4.00. If impounded for three or more times within the said period of one year the pound fee to be charged shall be the sum of \$10 for each such additional impounding.

SECTION 14. Any dog not redeemed within the period of 100 hours from and after the time of impounding may be sold at such price as the poundmaster may deem obtainable, or may be given away if, in the opinion of the poundmaster, such animal has no sale value. No notice of sale or advertising of any kind shall be required and all unredeemed dogs which have not been sold or given away after the expiration of said 100 hour redemption period shall forthwith be destroyed by the poundmaster at his discretion.

SECTION 15. It shall be unlawful for any person owning or having possession of any horse, cow, goat, or other animal to permit it to run at large or to be pastured, staked or tied for the purpose of grazing upon any street, sidewalk or other public place, or upon the property of any other person against the wishes of the owner or occupant thereof, or within forty feet of the dwelling of another, or in any manner or place to the injury or damage of the owner or occupant of other property. It shall be unlawful for any person owning or having possession of any chickens or other fowl to permit them to run at large upon any street or other public place or upon the property of another without the permission of the owner or occupant thereof, or in any manner to the injury or damage of the owner or occupant of such other property, and every such animal or fowl, upon complaint thereof being made in writing by the person aggrieved, shall be taken by the poundmaster and impounded in the public pound.

The poundmaster, upon impounding any such animal or fowl shall immediately notify the owner or person entitled to the possession thereof of the impounding thereof, if such person is personally known to him, or if unknown, by posting notices of the impounding with the description of the animal or fowl and the time and place of its apprehension in at least three public places in the city.

SECTION 16. After the expiration of 100 hours from the time of posting such notices, any animal or fowl impounded pursuant to the provisions of the preceding section may be sold, given away or destroyed by the poundmaster in the same manner and under the same conditions imposed hereunder with respect to the sale or other disposition of dogs impounded. The poundmaster is hereby authorized but is not required, to publish such notices of sale as he deems warranted to aid in the sale of impounded animals.

SECTION 17. The poundmaster shall collect the following fees and feeding charges from persons redeeming any animal or fowl, other than dogs, impounded under the preceding sections:

For impounding each fowl, cat, rabbit or animal of similar size, a fee of 25¢.

For impounding each animal of larger size than those enumerated above a fee of \$2.00.

For feeding each fowl, cat, rabbit or animal of similar size, a feeding charge of 10¢ per day.

For feeding each larger animal a feeding charge of \$1.00 for each day impounded.

SECTION 18. The poundmaster shall keep a record of the number, description and disposal of all dogs, other animals and fowl impounded, showing in detail as to each the date and time of impounding, the date and manner of the posting of notices, the date and manner of disposal, the date, time and cost of any advertisement for sale, including copies thereof, the name and address of persons redeeming or purchasing and the fees, feeding charges, costs and proceeds of sale received on account thereof. Said record shall be kept by the poundmaster in a book or books provided for that purpose and a copy thereof, kept up to date, shall be left in the office of the Chief of Police and be open at all times to public inspection. Each month the poundmaster shall file with the City Council a detailed report containing a summary statement of the number and kinds of all dogs, other animals and fowl impounded, redeemed, sold, given away, and destroyed, the amounts of fees, feeding charges and proceeds of sale collected during the preceding month.

# COUNCIL COMMUNICATION

TO: THE CITY COUNCIL

DATE

NO.

FROM: THE CITY MANAGER'S OFFICE

JUNE 15, 1982

SUBJECT: ANIMAL CONTROL/FINES AND FEES FOR REDEMPTION

Mr. Paul Brewer visited my office on the afternoon of June 15, 1982 with a complaint as to the minimal amount of the redemption fine for impounded cats.

Council adopted Ordinance No. 1181 dealing with Animal Control on October 24, 1979. Said ordinance stated in Section 3-20 that redemption fees and charges would be as established from time to time by resolution of the City Council. Council has made no changes in redemption fees since that time; nor since it adopted Ordinance 297 on February 2, 1944, copy attached.

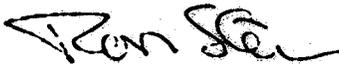
As noted in Section 13 of Ordinance 297, the redemption fees for impounded dogs is as follows:

1st offense \$2.00 per day 5  
2nd offense \$4.00 per day 10  
3rd offense \$10.00 per day 15

Feeding Charge: \$0.25 per day 1.50

As noted in Section 17 of Ordinance 297, the redemption fee for cats is \$0.25 per day with a \$0.10 daily feeding charge.

Mr. Brewer plans to appear at the June 16, 1982 Council meeting to discuss this matter, and this information is supplied to you for your review and consideration.



RONALD M. STEIN  
CITY ATTORNEY

RMS:vc

attachment

SECTION 11. Whenever any cases of rabies exist in the city or in the vicinity of the city the Chief of Police is hereby authorized to publish an order requiring every person owning or having possession of any dog to keep it confined upon private premises or else keep it effectively muzzled to prevent biting. When the period of danger from rabies has terminated, in the opinion of the Chief of Police, he shall publish a notice terminating the said order. During the period between the published notice and the termination of such order it shall be unlawful for any person owning or having possession of any dog to allow it to be so unconfined or unmuzzled and every unmuzzled dog not so confined during said period shall be taken by the poundmaster and impounded in the public pound. The notices herein referred to shall be published by posting in at least three public places in the city and by one or more publications in a newspaper published and circulated within the City of Lodi.

SECTION 12. In the event that any dog is impounded upon complaint of any person asserting that such dog has bitten some person, the poundmaster shall impound and keep such dog safely segregated during a period of at least ten days for observation for rabies, and following such period of observation, if it be found that the dog does not have rabies and if it is licensed and otherwise eligible to be returned, ~~it shall be returned to the owner~~ it shall be returned to the owner and no additional charge shall be made for the number of days added to the normal period of impoundment that the dog is required to be impounded for observation. If the dog is found to have rabies it shall be forthwith destroyed by the poundmaster. In the event of any statute taking precedence over the provisions of this ordinance with respect to the impounding or regulating of dogs suspected of having rabies or otherwise regulating dogs or animals then to the extent that such statutes conflict with the provisions of this ordinance such provisions hereof, respectively, shall be deemed suspended during such period of conflict.

SECTION 13. The owner or person entitled to the possession of any dog which has been impounded under the provisions of this ordinance (except under Section 9 to 11 hereof) may secure the release thereof at any time before the sale or other disposition thereof as herein provided, by paying to the poundmaster a fee of \$2.00 together with a feeding charge of 25¢ for each day or fraction of a day that said dog has been impounded, and by the payment of any unpaid license tax which is due and unpaid with respect to said dog. If the dog was impounded upon the complaint of any person asserting personal injury or property damage by said dog, said dog may not be redeemed until and unless satisfactory evidence is given to the poundmaster, in writing, by the person owning or having possession of said dog, of precautions to be taken assuring against the recurrence of any such injury or damage. In the event that a dog is impounded for the second time within the period of one year the fee to be paid to the poundmaster for the release of said dog shall be the sum of \$4.00. If impounded for three or more times within the said period of one year the pound fee to be charged shall be the sum of \$10 for each such additional impounding.

SECTION 14. Any dog not redeemed within the period of 100 hours from and after the time of impounding may be sold at such price as the poundmaster may deem obtainable, or may be given away if, in the opinion of the poundmaster, such animal has no sale value. No notice of sale or advertising of any kind shall be required and all unredeemed dogs which have not been sold or given away after the expiration of said 100 hour redemption period shall forthwith be destroyed by the poundmaster at his discretion.

SECTION 15. It shall be unlawful for any person owning or having possession of any horse, cow, goat, or other animal to permit it to run at large or to be pastured, staked or tied for the purpose of grazing upon any street, sidewalk or other public place, or upon the property of any other person against the wishes of the owner or occupant thereof, or within forty feet of the dwelling of another, or in any manner or place to the injury or damage of the owner or occupant of other property. It shall be unlawful for any person owning or having possession of any chickens or other fowl to permit them to run at large upon any street or other public place or upon the property of another without the permission of the owner or occupant thereof, or in any manner to the injury or damage of the owner or occupant of such other property, and every such animal or fowl, upon complaint thereof being made in writing by the person aggrieved, shall be taken by the poundmaster and impounded in the public pound.

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SECTION 16. After the expiration of 100 hours from the time of posting such notices, any animal or fowl impounded pursuant to the provisions of the preceding section may be sold, given away or destroyed by the poundmaster in the same manner and under the same conditions imposed hereunder with respect to the sale or other disposition of dogs impounded. The poundmaster is hereby authorized but is not required, to publish such notices of sale as he deems warranted to aid in the sale of impounded animals.

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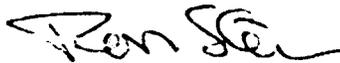
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SECTION 16. After the expiration of 100 hours from the time of posting such notices, any animal or fowl impounded pursuant to the provisions of the preceding section may be sold, given away or destroyed by the poundmaster in the same manner and under the same conditions imposed hereunder with respect to the sale or other disposition of dogs impounded. The poundmaster is hereby authorized but is not required, to publish such notices of sale as he deems warranted to aid in the sale of impounded animals.

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