

[Raising license and other Animal Care and Control fees for dogs, cats, and other animals.]

Ordinance amending the San Francisco Health Code by amending Sections 41.9, 41.10, 41.15, 41.16, 41.17, and 41.22, to raise license and other Animal Care and Control fees for dogs, cats, and other animals, and by adding Section 41.26, to provide for annual adjustment of these fees to reflect changes in the Consumer Price Index.

Note: Additions are single-underline italics Times New Roman;
deletions are ~~strikethrough italics Times New Roman~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Health Code is hereby amended by amending Sections 41.9, 41.10, 41.15, 41.16, 41.17, and 41.22, to read as follows:

SEC. 41.9. DISPOSITION OF ANIMALS.

(a) In the discretion of the Animal Control Officer, except as otherwise provided in Sections 41.1 through 41.13, inclusive, of this Article, any animal which has been impounded or taken into custody by the Animal Control Officer, which is not redeemed within the applicable holding period specified in Section 41.7 hereof, may be sold at private sale or public auction, destroyed or otherwise disposed of by the Animal Control Officer. Any animal sold by the Animal Control Officer shall be sold upon the collection of no less than the following fees for each animal:

(1) For each dog, the sum of \$10 5, plus, if applicable, the dog license fee provided for in Section 41.15 of Article 1 of the San Francisco Health Code.

(2) For each cat, the sum of \$10 5.

1 (3) For each hoofed animal, the sum of \$25.

2 (4) For each rabbit, bird or similar small animal, the sum of \$10 ~~5~~.

3 (5) If the purchaser of a dog or cat is 65 years of age or older, the fee to be paid
4 for each dog or cat shall be 50 percent of the applicable sums set forth in the
5 Subparagraphs (a)(1) and (a)(2) above.

6 (b) It shall be unlawful for the Animal Control Officer or anyone in such Officer's
7 employ to knowingly sell or give any animal impounded or otherwise taken into custody to any
8 person, medical college or university for purposes of animal experimentation; or for any of the
9 above to induce by or through fraud, misrepresentation, coercion or threats any violations of
10 this Section.

11 (c) If an animal is sold pursuant to the provisions of this Section, the receipt signed by
12 the Animal Control Officer or such Officer's agent shall be valid title to the purchaser.

13 (d) Any animal impounded or otherwise taken into custody by the Animal Control
14 Officer, which, as determined by a licensed veterinarian, is suffering excessively, or is
15 dangerous to keep impounded, shall be forthwith destroyed by the Animal Control Officer.

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17 **SEC. 41.10. CHARGES AND FEES.**

18 The Animal Control Officer shall charge and collect the following fees from the owner of
19 any animal impounded or otherwise taken into custody:

20 (a) Redemption fees:

21 For each dog, the sum of \$25 ~~15.00~~

22 For each cat, the sum of \$25 ~~15.00~~

23 For each hoofed animal, the sum of \$25.00

24 For each rabbit, bird or other animal, the sum of \$25 ~~15.00~~

25 (b) Voluntary lifetime cat registration fee:

1 For each cat, the sum of \$10 ~~5.00~~

2 (c) Spay/neuter deposit fee:

3 For each dog, the sum of \$50 ~~25.00~~

4 For each cat, the sum of \$50 ~~25.00~~

5 (d) For feeding and providing ordinary care for animals, the following sums, per day:

6 For each dog, the sum of \$10 ~~5.00~~

7 For each cat, the sum of \$10 ~~5.00~~

8 For each hoofed animal, the sum of \$10 ~~5.00~~

9 For each rabbit, bird or other animal, the sum of \$10 ~~5.00~~

10 (e) In the event that the Animal Control Officer shall determine that payment of any

11 fees by the owner of an animal which is impounded or otherwise taken into custody would

12 cause extreme financial difficulty to said owner, the Animal Control Officer may, at his or her

13 discretion, waive all or part of the fees for the animal.

14 (f) In the event that any animal is impounded or otherwise taken into custody by the

15 Animal Control Officer more than one time, the Animal Control Officer shall collect a penalty

16 redemption fee, which shall be:

17 (1) For a second impoundment, two times the fee set forth in Subsection (a)

18 above;

19 (2) For any third or additional impoundment, three times the fee set forth in

20 Subsection (a) above.

21 (g) In the event that an animal which is impounded or otherwise taken into custody

22 must be spayed or neutered while in the custody of the Animal Control Officer, the Animal

23 Control Officer shall charge an additional fee consisting of the actual expense incurred.

24 (h) For extraordinary care or expense provided for an animal, an additional fee

25 consisting of the actual expense incurred shall also be charged.

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2 **SEC. 41.15. DOGS: DOG LICENSE FEE LICENSING REQUIREMENT; FEES; TERM OF**
3 **LICENSE.**

4 It shall be unlawful for any person to own, keep or have control of any dog without
5 having obtained a current San Francisco license for such dog, which license shall be renewed
6 no later than 30 days after the date of expiration, as herein provided.

7 (a) Every person owning, keeping or having control of any dog over the age of four
8 months within the City and County of San Francisco shall within 30 days after the dog attains
9 the age of four months or within 30 days of obtaining the dog, obtain a current license for each
10 dog so owned, kept or controlled.

11 (b) New residents shall have 30 days in which to acquire a current San Francisco
12 license for each dog owned, kept or controlled within the City and County.

13 (c) Such dog license shall be issued upon payment, in advance, of a license fee and
14 upon satisfactory proof of antirabies vaccination and shall be valid for a specified term from
15 the date of issuance, all as provided in Section 41.18. The Department of Animal Care and
16 Control, the Tax Collector and any other authorized licensing entity issuing said certificate, is
17 hereby authorized to charge, and any person requesting said license shall pay, a fee for each
18 such license, according to the following scale and subject to the exceptions set forth in this
19 Article:

20 (1) \$24 ~~Sixteen dollars~~ for a one-year license;

21 (2) \$45 ~~Thirty dollars~~ for a two-year license;

22 (3) \$66 ~~Forty-four dollars~~ for a three-year license, issued only upon proof that
23 such dog is 12 months of age or older.

24 Notwithstanding San Francisco Administrative Code section 10.117-87(c), said license
25 fee shall be used to defray the costs associated with issuance of said license, including

1 personnel costs. Any change recommended by the Director of the Department of Animal Care
2 and Control as to the amount of the fees charged for each license shall be submitted to the
3 Board of Supervisors for approval prior to the imposition of said fee. Fees for partial-term
4 licenses for less than a 12-month period will be prorated on a monthly basis. A schedule of
5 said license fees shall be posted conspicuously on the premises of the Department of Animal
6 Care and Control, in the office of the Tax Collector, and at any other authorized licensing
7 entity charged with the collection of said fees.

9 **SEC. 41.16. REDUCTION IN FEE-SPECIAL CIRCUMSTANCES.**

10 The following reductions in the fees provided for in Section 41.15(c) shall be available
11 under the following circumstances:

12 (1) For each dog neutered or spayed in accordance with this Article, the license
13 shall be prorated, as follows:

14 (A) \$12 ~~Eight dollars~~ for a one-year license;

15 (B) \$21 ~~Fourteen dollars~~ for a two-year license;

16 (C) \$30 ~~Twenty dollars~~ for a three-year license.

17 (2) If the owner of a dog is 65 years of age or older, the license fee shall not
18 exceed 50 percent of the applicable fee set forth in Section 41.15(c) or 50 percent of
19 the applicable fee set forth above.

21 **SEC. 41.17. FEES-LATE PAYMENT PENALTY.**

22 (a) A late charge of \$10 ~~5~~ shall be assessed for failure to obtain a current San
23 Francisco dog license or to renew any expired license within any of the time limitations set
24 forth in Section 41.15 of this Article. Any such late charge shall be in addition to the applicable
25 license fee and shall be payable at the time of issuance.

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3 **SEC. 41.22. DUPLICATE LICENSE OR REGISTRATION TAG ISSUED.**

4 (a) If any license or registration tag shall be lost or stolen, damaged or illegible, the
5 person owning, possessing, or having control of the dog or cat for which the same was issued
6 shall be entitled to receive a duplicate of such tag by presenting to the Tax Collector or the
7 Department of Animal Care and Control the damaged tag, or the original certificate showing
8 ownership of said tag or subscribing to an affidavit sufficiently showing that such tag was lost
9 or stolen. Upon payment by the owner of a replacement fee of \$5 ~~7~~, the Tax Collector or the
10 Department of Animal Care and Control shall issue a properly numbered duplicate tag, and
11 shall keep on file in his office the original affidavit upon which the duplicate tag was issued.

12 (b) If any license or registration tag is not received due to the United States Mail within
13 30 days after payment of fees, the person owning, possessing, or having control of the dog or
14 cat for which the said tag was issued shall be entitled to receive a duplicate of said tag by
15 presenting to the Tax Collector or the Department of Animal Care and Control the damaged
16 tag, or the original certificate showing ownership of said tag or subscribing to an affidavit
17 sufficiently showing that said tag was not received due to the United States Mail within 30
18 days. The Tax Collector or the Department of Animal Care and Control, without additional fee,
19 shall issue a properly numbered tag, and shall keep on file in his office all original affidavits
20 upon which duplicate tags were issued.

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22 Section 2. The San Francisco Health Code is hereby amended by adding Section
23 41.26, to read as follows:
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1 **SEC. 41.26. ANNUAL ADJUSTMENT OF FEES.**

2 Beginning with fiscal year 2003-2004, fees set in Sections 41.9, 41.10, 41.15, 41.16, 41.17, and
3 41.22 may be adjusted each year, without further action by the Board of Supervisors, to reflect changes
4 in the relevant Consumer Price Index, as determined by the Controller.

5 No later than April 15th of each year, the Department of Animal Care and Control shall submit
6 its current fee schedule to the Controller, who shall apply the price index adjustment to produce a new
7 fee schedule for the following year.

8 No later than May 15th of each year, the Controller shall file a report with the Board of
9 Supervisors reporting the fee new schedule and certifying that: (a) the fees produce sufficient revenue
10 to support the costs of providing the services for which each fee is assessed, and (b) the fees do not
11 produce revenue which is significantly more than the costs of providing the services for which each fee
12 is assessed.

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15 APPROVED AS TO FORM:
16 DENNIS J. HERRERA, City Attorney

17
18 By: _____
19 THOMAS J. OWEN
20 Deputy City Attorney