

1 [Expanding the authority of the Department of Animal Care and Control to issue dog licenses  
2 and enter into agreements with pet-related businesses and animal welfare organizations to  
3 issue dog licenses.]  
4

5 **Ordinance amending the San Francisco Health Code by amending sections 41, 41.2,**  
6 **41.4, 41.5, 41.15, 41.19, 41.20 and 41.22 to: (1) expand the authority of the Department**  
7 **of Animal Care and Control to issue dog licenses; (2) authorize the Director of Animal**  
8 **Care and Control to enter into agreements with persons and entities, including but not**  
9 **limited to, veterinarians, retailers of pet supplies and pet services and animal welfare**  
10 **organizations, to accept applications for, and issue dog licenses; and (3) make**  
11 **miscellaneous technical corrections and delete references to obsolete code sections**  
12 **and terms; and amending the San Francisco Business and Tax Regulations Code by**  
13 **amending section 221.3 to specify that dog license fees collected by the Department of**  
14 **Animal Care and Control be delivered to the San Francisco Animal Control and Welfare**  
15 **Fund.**

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

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

20 Section 1. The San Francisco Health Code is hereby amended by amending Sections  
21 41, 41.2, 41.4, 41.5, 41.15, 41.19, 41.20, and 41.22, to read as follows:

22 **SEC. 41. DEFINITIONS.**

23 As used in Sections 41.1 through ~~41.13~~ 41.25, inclusive, of this Article, the following  
24 terms shall have the following ~~respective~~ meanings:  
25

1 (a) "At large" shall mean any dog off the premises of its owners and not under restraint  
2 by a leash, rope or chain of not more than eight (8) feet in length, and any other animal not  
3 under physical restraint.

4 (b) "Animal" shall mean and include any bird, mammal, reptile, or other dumb  
5 creature; except fish.

6 (c) "City and County" shall mean the City and County of San Francisco.

7 (d) "Dog" shall include female as well as male dogs.

8 (e) "Health Officer" shall mean the Director of the Department of Public Health of  
9 the City and County, or any employee of said Department or other person authorized by said  
10 officer to act on his or her behalf.

11 (f) "Hoofed Animal" shall mean and include horse, mare, gelding, mule, burro,  
12 sheep, cow, goat or any other animal with a hoofed foot.

13 (g) "Owner" shall mean any person who possesses, has title to or an interest in,  
14 harbors or has control, custody or possession of an animal, and the verb forms of "to own"  
15 shall include all those shades of meaning.

16 (h) "Person" shall mean and include corporations, estates, associations, partnerships and  
17 trusts, as well as one or more individual human beings.

18 (i) "Barking Dog" is defined as a dog that barks, bays, cries, howls or makes any  
19 other noise continuously and incessantly for a period of 10 minutes to the disturbance of any  
20 other person.

21 (j) "Animal Care and Control Department" shall mean the department under the  
22 ~~Chief Administrative Officer~~ City Administrator authorized to perform the functions described in  
23 Sections 41.4 and 41.5 of this Article and any other ordinance or law that delegates such  
24 authority to the Animal Care and Control Department or its Director.

25 ///

1 (k) "Animal Control Officer" or "Animal Care and Control Officer" shall mean the  
2 Director of the Animal Care and Control Department.

3 (l) "Authorized licensing entity" shall mean an individual or entity that has entered into  
4 an agreement with the Director of Animal Care and Control to accept applications and payments for  
5 dog licenses, and issue such licenses to dog owners in accordance with the requirements of Sections  
6 41.15 through 41.20. Such individuals or entities may include, but are not limited to, other  
7 departments of the City and County, licensed veterinarians practicing in the City and County, retailers  
8 of pet supplies and providers of animal care services engaged in business in the City and County, and  
9 nonprofit organizations engaged in promoting animal welfare.

10 **SEC. 41.2. POWERS AND DUTIES.**

11 In addition to any other powers and duties set forth in this Article, the Commission shall  
12 have the power and duty to:

13 (a) Hold hearings and submit recommendations regarding animal control and welfare to  
14 the Board of Supervisors and the ~~Chief Administrative Officer~~ City Administrator.

15 (b) Study and recommend requirements for the maintenance of animals in public,  
16 private, and commercial care.

17 (c) Work with the Tax Collector, the Director of the Animal Care and Control Department  
18 and authorized licensing entities to develop and maintain dog licensing procedures and make  
19 recommendations on fees.

20 **SEC. 41.4. ANIMAL CARE AND CONTROL DEPARTMENT; ESTABLISHMENT;**  
21 **APPOINTMENT OF ANIMAL CONTROL OFFICER; POWERS AND DUTIES OF ANIMAL**  
22 **CARE AND CONTROL DEPARTMENT.**

23 (a) Effective July 1, 1989, there is hereby established an Animal Care and Control  
24 Department under the jurisdiction of the ~~Chief Administrative Officer~~ City Administrator. The  
25 Department shall consist of a Director and such employees and assistants as may be

1 necessary to carry out the work and functions of the Department. The ~~Chief Administrative~~  
2 ~~Officer~~ City Administrator shall appoint an Animal Control Officer who shall serve at the  
3 pleasure of the ~~Chief Administrative Officer~~ City Administrator as the Director of the Animal Care  
4 and Control Department.

5 (b) The Animal Care and Control Department shall have the following functions:

6 (1) To operate an animal shelter;

7 (2) To provide nourishment and medical care for animals in its care; basic health  
8 screening for all animals and a disease control program for the facility; vaccination of animals;  
9 euthanasia of animals by barbiturate injection or other humane methods; sale of dog licenses;  
10 volunteer programs; information on animal control laws, pet owner responsibilities and pet  
11 care; and maintenance of records of all animal control activities;

12 (3) To enforce the provisions of this Article and any other ordinances and laws that  
13 pertain to the care and control of animals;

14 (4) To charge and collect the fees, fines and deposits as required by this Article and  
15 any other ordinances and laws that pertain to the care and control of animals; and

16 (5) To carry out the duties and functions of the Animal Control Officer as defined in  
17 Article I of this Code, Section 985 of this Code, Sections ~~215~~ 220 through ~~223~~ 221.3 of ~~Part III~~  
18 ~~of the San Francisco Business and Tax Regulations Municipal~~ Code, and any other ordinances and  
19 laws pertaining to the care and control of animals.

20 **SEC. 41.5. ANIMAL CONTROL OFFICER; POWERS AND DUTIES; BADGES.**

21 (a) The Animal Control Officer shall have the following powers and duties:

22 1. To enforce the provisions of Sections 41.1 through ~~41.13~~ 41.25, inclusive  
23 of this Article ~~and the licensing provisions of Sections 215 through 222, inclusive, of Part III of the San~~  
24 ~~Francisco Municipal Code~~, and to impound any animal at large in violation thereof.

25 ///

1                   2.     To cooperate with the Health Officer in the enforcement of animal  
2 quarantine directives.

3                   3.     To keep a record of the number, description, and disposition of all  
4 animals impounded or otherwise taken into custody, showing in detail in the case of each  
5 animal the date of receipt, the date and manner of disposal, the name of the person  
6 reclaiming, redeeming, or purchasing said animal; the fees, charges and proceeds of sales  
7 received, and such additional records as the Controller of the City and County may prescribe.  
8 Such records shall not be removed except upon written order of a court of competent  
9 jurisdiction or other duly constituted authority.

10                  4.     To appoint Deputy Animal Control Officers whose authority shall be the  
11 same as that of the Animal Control Officer as herein set forth.

12                   5.     To enter into agreements with individuals and entities, including but not limited  
13 to, other departments of the City and County, licensed veterinarians practicing in the City and County,  
14 retailers of pet supplies and providers of animal care services engaged in business in the City and  
15 County, and nonprofit organization engaged in promoting animal welfare, to authorize these entities to  
16 receive applications and payment for dog licenses, and to issue such licenses in accordance with the  
17 requirements of Sections 41.15 through 41.20 and 41.23 of this Article.

18                   It shall be unlawful for any person to oppose, resist, or otherwise interfere with  
19 the Animal Control Officer or his or her duly authorized deputies or agents in the performance  
20 of the duties herein set forth.

21                  (b)    The Animal Control Officer and his or her deputies, while engaged in the  
22 execution of duties that involve field patrols, emergency response activities, impoundment of  
23 animals, issuance of citations, enforcement of animal quarantine directives, and any other  
24 activities related to the enforcement of animal care and control laws shall wear in plain view a  
25 badge, having in the case of the Animal Control Officer the words "Animal Care and Control

1 Officer" and in the case of any Deputy Animal Control Officer the words "Deputy Animal Care  
2 and Control Officer" engraved thereon.

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

4 **TERM OF LICENSE.** It shall be unlawful for any person to own, keep or have control of any  
5 dog without having obtained a current San Francisco license for such dog, which license shall  
6 be renewed 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  
12 Francisco license for each dog owned, kept or controlled within the City and County ~~of San~~  
13 ~~Francisco~~.

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

- 21 (1) Sixteen dollars for a one-year license;
- 22 (2) Thirty dollars for a two-year license;
- 23 (3) Forty-four dollars for a three-year license, issued only upon proof that  
24 such dog is 12 months of age or older.

25 ///

1                   Notwithstanding San Francisco Administrative Code section 10.117-87(c), said  
2 license fee shall be used to defray the costs associated with issuance of said license,  
3 including personnel costs. Any change recommended by the Director of the Department of  
4 Animal Care and Control as to the amount of the fees charged for each license shall be  
5 submitted to the Board of Supervisors for approval prior to the imposition of said fee. Fees for  
6 partial-term licenses for less than a 12-month period will be prorated on a monthly basis. A  
7 schedule of said license fees shall be posted conspicuously on the premises of the  
8 Department of Animal Care and Control, ~~and~~ in the office of the Tax Collector, and at any or  
9 other authorized licensing entity ~~agency~~ charged with the collection of said fees.

10                   ~~(d) — Licenses issued under prior existing dog licensing ordinances of the City and~~  
11 ~~County shall remain valid until expiration.~~

12                   **SEC. 41.19. YOUNG DOG CERTIFICATE.** (a) Every resident of the City and  
13 County ~~of San Francisco~~ who procures a young dog over the age of two months from any  
14 animal shelter shall register such dog with the Department of Animal Care and Control, Tax  
15 Collector or other agency authorized to issue said certificate. Upon payment of a deposit  
16 equivalent to the amount of a license fee set pursuant to Section 41.15 of this Article, the  
17 owner of the young dog shall be issued a temporary identification tag and young dog  
18 certificate. The certificate shall be valid until the dog attains the age of four months, or has  
19 received an antirabies vaccination, whichever occurs first. Upon expiration of the certificate,  
20 the Tax Collector, the Department of Animal Care and Control, or other authorized licensing entity  
21 will notify the owner that the certificate has expired and upon satisfactory proof that the dog  
22 has been vaccinated in compliance with Section 41.18 of this Article, the owner shall be  
23 provided with a valid license for said dog as provided in this Article.

24                   ///

25                   ///

1 (b) If an owner fails to procure a license within one month after the expiration  
2 of the young dog certificate, the deposited license fee shall be forfeited and the owner shall be  
3 deemed to be in violation of Section 41.15 of this Article.

4 **SEC. 41.20. CERTIFICATE TO OWNER.** (a) Upon the payment of a dog  
5 license or cat registration fee, the owner of the animal shall obtain from the Tax Collector, the  
6 Department of Animal Care and Control, or other authorized licensing entity ~~agency~~ a certificate  
7 stating (1) the period for which such license or registration fee has been ~~is to be~~ paid, (2) the  
8 date of payment, (3) the name, residence address, and telephone number of the person to  
9 whom such license is issued, (4) the name, breed and sex of the dog or cat licensed or  
10 registered, (5) the number of the license or registration tag issued as provided for in this  
11 Article, and (6) a statement whether the animal has been spayed or neutered. Such certificate  
12 shall be delivered to the person paying such license or registration fee and duplicates or  
13 records thereof ~~shall be delivered to the Department of Animal Care and Control. All such duplicates~~  
14 ~~and records~~ shall be kept in the office of the Department of Animal Care and Control until the  
15 registration or certificate expires. The Tax Collector shall periodically provide the Department  
16 of Animal Care and Control with updated information regarding current registrations.

17 (b) The certificates and tags described in this Section shall not be  
18 transferable from dog to dog, cat to cat, or from owner to owner.

19 (c) At the same time that the Tax Collector, the Department of Animal Care and  
20 Control, or other authorized licensing entity issues the certificate pursuant to this Section, he or  
21 she shall also issue and deliver to the person paying such license or registration fee a license  
22 tag of such form and design as the Department of Animal Care and Control shall designate,  
23 with the words “San Francisco Dog License” or “San Francisco Cat Tag” and a serial number.

24 (d) The owner or person having control or possession of the dog or cat for  
25 which said license or registration fee has been paid, and such tag issued, shall attach such



1 license tag or registration tag securely to a collar around the neck of the cat or dog, or  
2 otherwise adequately secure such tag. License tags shall be securely displayed upon dogs at  
3 all times, except when the dog is confined to the owner's premises or displayed in any show  
4 or exhibition.

5 **SEC. 41.22. DUPLICATE LICENSE OR REGISTRATION TAG ISSUED.** (a)

6 If any license or registration tag shall be lost or stolen, damaged or illegible, the person  
7 owning, possessing, or having control of the dog or cat for which the same was issued shall  
8 be entitled to receive a duplicate of such tag by presenting to the Tax Collector, or the  
9 Department of Animal Care and Control the damaged tag, or the original certificate showing  
10 ownership of said tag or subscribing to an affidavit sufficiently showing that such tag was lost  
11 or stolen. Upon payment by the owner of a replacement fee of \$1, the Tax Collector or the  
12 Department of Animal Care and Control shall issue a properly numbered duplicate tag, and shall  
13 keep on file in his office the original affidavit upon which the duplicate tag was issued.

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

23 Section 2. The San Francisco Business and Tax Regulations Code is hereby amended  
24 by amending Section 221.3 to read as follows:

25 ///

1                   **SEC. 221.3. SPECIAL ANIMAL CONTROL AND WELFARE FUND.**

2                   All fees collected by the Tax Collector for dog licenses, dog kennel licenses, cat  
3                   registrations, and business licenses for such businesses as maintain animals in the course of  
4                   business, pursuant to Sections ~~215~~, 220 and 221 of this Article, or Section 41.15 of the San  
5                   Francisco Health Code, and all fees and donations collected by the Department of Animal Care  
6                   and Control and any authorized licensing entities for dog licenses, as provided in Section 41.15 of the  
7                   San Francisco Health Code, or for the sale, redemption or surrender of impounded animals and  
8                   for the care and feeding thereof, as provided in Section 41.10 ~~of Part II, Chapter V (Health~~  
9                   ~~Code)~~, of the San Francisco ~~Municipal~~ Health Code shall be paid or delivered into the San  
10                  Francisco Animal Control and Welfare Fund established by Section 10.117-87 of the San  
11                  Francisco Administrative Code.

12  
13                  APPROVED AS TO FORM:

14                  LOUISE H. RENNE, City Attorney

15  
16                  By: \_\_\_\_\_  
                                DAVID A. GREENBURG  
                                Deputy City Attorney