

RESOLUTION NO. 3717

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA
ADOPTING BY REFERENCE THE COUNTY OF MARIN'S FEE
SCHEDULE FOR ANIMAL CONTROL SERVICES AND ESTABLISHING AN
ANIMAL CONTROL SERVICES FEE SCHEDULE FOR THE TOWN OF CORTE MADERA

WHEREAS, a Joint Powers Agreement has been executed by several local jurisdictions within the County of Marin for the administration of county-wide animal control services;

WHEREAS, the County of Marin is the entity responsible for administering county-wide animal control services under the Joint Powers Agreement;

WHEREAS, the Town of Corte Madera is a party to the said Joint Powers Agreement;

WHEREAS, the Town Council of the Town of Corte Madera adopted the County of Marin's Animal Control Services Fee Schedule by adopting Resolution Number 3636 on March 2, 2010;

WHEREAS, the County of Marin adopted Ordinance Number 3582 on May 22, 2012, establishing increases in fees for performance of various county-wide animal control services;

WHEREAS, notice of a public hearing on the Town's adoption by reference of the County of Marin's revised fee schedule adopted by Ordinance No. 3582 increasing various animal control services fees has been published in a newspaper regularly published at least once each week on two occasions in advance of the public hearing;

WHEREAS, the Town of Corte Madera held a public hearing on July 3, 2012, at which time members of the public were given the opportunity to provide public testimony and make objections to the Town's adoption by reference of the proposed County of Marin fee schedule and the increases to various fees for animal control services contained within the proposed fee schedule;

WHEREAS, the Town Council, having heard any and all public testimony offered at the public hearing, now wishes to adopt the new fee schedule that has been adopted by the Board of Supervisors of the County of Marin to defray the costs of providing county-wide animal control services;

WHEREAS, the Town finds that the fee schedule established by Ordinance No. 3582 is reasonably proportionate to the costs of providing the services based upon the County's ordinance, materials and all supporting information submitted by County staff or presented for consideration of Ordinance No. 3582;

WHEREAS, the Town finds that an ordinance regularly adopted by the County of Marin to establish and increase the costs of animal control services fees while the Town is a

party to the Joint Powers Agreement provides a reasonable estimate of the fees to defray the costs of the animal control services provided to the Town by the County and finds that any amendments to Ordinance Number 3582 or succeeding ordinances establishing animal control services fees may be approved by Town Council ratification without a public hearing being conducted by the Town of the fees established by County ordinance; and

WHEREAS, the Board of Supervisors of the County of Marin must adopt a resolution that implements the new fees established under Ordinance Number 3582, which must be agreed upon by all parties to the Joint Powers Agreement in order for the new fees to take effect.

NOW THEREFORE, THE TOWN COUNCIL OF THE TOWN OF CORTE MADERA, CALIFORNIA, DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Ordinance Number 3582 "Ordinance of the Marin County Board of Supervisors Establishing Increases in Fees Collected for Animal Control Services Codified in Chapter 8.04 of Title 8 of the Marin County Code attached hereto is hereby adopted by reference, contingent upon the Marin County Board of Supervisors' adoption of a resolution implementing the new fees authorized under Marin County Ordinance Number 3582.

Section 2. Upon adoption of a resolution by the Marin County Board of Supervisors implementing the new fees authorized under Ordinance Number 3582 of the County of Marin, this resolution shall replace Town Council Resolution Number 3636, which shall be rescinded as of that date.

Section 3. The Town Clerk shall certify to the passage and adoption of this Resolution and enter it into the book of original resolutions.

I, the undersigned, hereby certify that the foregoing is a full, true and complete copy of a resolution duly passed and adopted by the Council of the Town of Corte Madera at a regular meeting thereof held on the 3rd day of July, 2012, by the following vote:

Ayes, and in favor thereof, Council Members: Cock, Condon, Furst, Lappert, Ravasio

Noes, Council Members: - None -

Absent, Council Members: - None -

Abstain, Council Members: - None -

Dated: July 3, 2012



Bob Ravasio, Mayor

ATTEST:



Christine Bell, Town Clerk

ORDINANCE NO. 3582
ORDINANCE OF THE MARIN COUNTY BOARD OF SUPERVISORS
ESTABLISHING INCREASED IN FEES COLLECTED FOR ANIMAL CONTROL SERVICES
CODIFIED IN CHAPTER 8.04 OF TITLE 8 OF THE MARIN COUNTY CODE

THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIN HEREBY ORDAINS AS FOLLOWS:

SECTION 1. Fees for the various services provided under Marin County Code Title 8, Chapter 8.04 as described and identified below (all code references are to sections of the Marin County Code) are hereby amended to read as follows and shall become operative upon all parties to the Joint Powers Agreement for the implementation of county-wide animal control services adopting said fees. Said event shall be memorialized by the Board's adoption of a resolution implementing the new fees authorized hereunder. Until that resolution is adopted, the County's current fees (as set forth below within brackets) shall remain in full force and effect. All cost pass-through policies, delinquent charges and discount policies are intended to continue unchanged and will remain in full force and effect prior to resolution adoption as well as thereafter.

Fee Category	[Existing Fee]	New Fee
DOG LICENSE FEES ESTABLISHED UNDER 8.04.060 FOR A:		
<u>Sterilized Dog</u>		
For a one year license	[\$16.00]	\$19
For a two year license	[\$24.00]	\$26
For a three year license	[\$34.00]	\$35
<u>Unsterilized Dog</u>		
For a one year license	[\$45.00]	\$50
For a two year license	[\$55.00]	\$59
For a three year license	[\$77.00]	\$80
DELINQUENT DOG LICENSE FEES ESTABLISHED UNDER 8.04.070	[\$40.00]	\$50
DUPLICATE LICENSE TAG FEE ESTABLISHED UNDER 8.04.080	[\$5.00]	\$10
REDEMPTION FEES (IMPOUND FEES) ESTABLISHED UNDER 8.04.140 AND 8.04.150 FOR A:		
<u>Sterilized Animal</u>		
upon a first impoundment during a 12 month period	[\$60.00]	\$65.00
upon a second impoundment during a 12 month period	[\$85.00]	\$90.00
upon a third impoundment during a 12 month period	[\$100.00]	\$110.00
upon a fourth impoundment during a 12 month period	[\$135.00]	\$150.00
upon subsequent impoundment during a 12 month period	[\$210.00]	\$230.00

Unsterilized Animal

upon a first impoundment during a 12 month period	[\$85.00]	\$95.00
upon a second impoundment during a 12 month period	[\$130.00]	\$145.00
upon a third impoundment during a 12 month period	[\$150.00]	\$165.00
upon a fourth impoundment during a 12 month period	[\$175.00]	\$200.00
upon subsequent impoundment during a 12 mo. Period	[\$225.00]	\$260.00

DEAD DOG, CAT AND SMALL HOUSEHOLD PET REMOVAL FEES ESTABLISHED UNDER 8.04.195

	[\$50.00]	\$75.00
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DEAD WILDLIFE REMOVAL FEES ESTABLISHED UNDER 8.04.195

for removal & disposition of dead wildlife under 50 lbs.	[\$50.00]	\$75.00 [†]
for removal & disposition of dead wildlife 50 lbs. & over	[\$90.00]	\$125.00 [†]

BOARDING FEES FOR QUARANTINED OR IMPOUNDED ANIMALS ESTABLISHED UNDER 8.04.050 AND 8.04.150

Sterilized Animals

Charge for boarding a sterilized dog per day	[\$20.00]	\$22.00
Charge for quarantining a sterilized dog per day	[\$30.00]	\$35.00
Charge for boarding a sterilized cat per day	[\$12.00]	\$14.00
Charge for quarantining a sterilized cat per day	[\$28.00]	\$30.00

Unsterilized Animals

Charge for boarding an unsterilized dog per day	[\$32.00]	\$35.00
Charge for quarantining an unsterilized dog per day	[\$35.00]	\$40.00
Charge for boarding an unsterilized cat per day	[\$18.00]	\$21.00
Charge for quarantining an unsterilized cat per day	[\$32.00]	\$37.00

Animals other than dogs and cats that need to be boarded due to quarantine or impound shall be charged for said services at the same rate as those for cats for the status of the animal and category of services described.

All veterinary fees associated with veterinary care provided to any animals in the Animal Services Agency's care pursuant hereto shall be directly recoverable as a charge pursuant to this ordinance.

Payment is delinquent if not received within 60 days. In the event that payment is not received within 60 days, a delinquency charge equaling the amount of the invoice shall be assessed. For each additional month of delinquency, another twenty percent penalty charge shall be assessed.

POTENTIALLY DANGEROUS/VICIOUS DOG PERMITS ESTABLISHED UNDER 8.04.181

Potentially Dangerous the charge for annual record keeping pursuant to 8.04.181(e)(15)(i)	[\$125.00]	\$250.00
Vicious Dog the charge for annual record keeping pursuant to 8.04.181(e)(16)(i)	[\$250.00]	\$500.00

HOBBYIST & RANCH DOG FEES ESTABLISHED UNDER
8.04.245 & 8.04.246

Dog Hobbyist Permit the charge for issuance of each dog hobbyist permit	[\$125.00]	\$250.00
Ranch Dog Permit the charge for issuance of each ranch dog permit	[\$125.00]	\$250.00

The issuance of a dog hobbyist or ranch dog permit includes provision of an individual license for each dog harbored under the permit at no additional charge.

EXHIBIT FEE & COMMERCIAL ANIMAL ESTABLISHMENT
ESTABLISHED UNDER 8.04.230 AND 8.04.240

Animal Exhibition Fee the charge for timely processing of unwaived exhibit fee	[\$250.00]	\$500.00
Commercial Animal Establishment Fee for an annual permit & for timely renewals	[\$200.00]	\$450.00
Delinquency charge assessed for late renewal of an expired permit	[\$50.00]	\$75.00
Additional charge assessed for every calendar month of said delinquency	[\$40.00]	\$50.00

STRAY LIVESTOCK CHARGES ESTABLISHED PURSUANT TO
8.04.220

Equine and Bovine (over 6 mo.) charge for securing and keeping (per day)	[\$100.00] [\$40.00]	\$200.00 \$75.00
Equine and Bovine (6 mo. & under) & sheep, lamb, goat, hogs, etc. charge for securing and keeping (per day)	[\$50.00] [\$20.00]	\$100.00 \$30.00
Herding Fee the charge per hour or any fraction thereof for return of an animal that has strayed	[\$40.00]	\$100.00

All costs incurred by County in connection with such animals shall be a pass-through to the animal owner, including, but not limited to, the cost of herding, advertising, transporting, drugs, and veterinary services.

SENIOR CITIZEN, BLIND OR DISABLED PERSON'S DISCOUNT
ON SPECIFIED FEES PURSUANT TO 8.04.255

Dog license Fees (any duration) discount from listed fees	25% discount	25% discount
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* Increased fees denoted in bold font

† Said removal and disposition fees shall be chargeable to the property owner where the dead wildlife is found.

SECTION II. This ordinance shall be liberally construed to achieve its purposes and preserve its validity. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

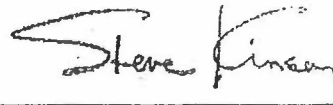
SECTION III. Effective Date. This ordinance shall be and is hereby declared to be in full force and effect as of thirty (30) days from and after the date of its passage and shall be published once before the expiration of fifteen (15) days after its passage, with the names of the supervisors voting for and against the same in the MARIN INDEPENDENT JOURNAL, a newspaper of general circulation published in the County of Marin.

PASSED AND ADOPTED at a regular meeting of the Board of Supervisors of the County of Marin held on this 22nd day of May, 2012, by the following vote:

AYES: SUPERVISORS Katie Rice, Susan L. Adams, Judy Arnold, Kathrin Sears, Steve Kinsey

NOES: NONE

ABSENT: NONE



PRESIDENT, BOARD OF SUPERVISORS

ATTEST:



CLERK