



Council Meeting Staff Report

June 11, 2024

Agenda No.:	A.
Indexes (Council Goals):	Quality of Life - Public Safety
Presenters:	Dino Sgambellone
Legislative File:	CO0685-24b

Title

Incorporated County of Los Alamos Code Ordinance No. 02-355 Modifications to Chapter 6, Animal Code

Recommended Action

I move that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-355; and ask staff to assure that it is published in summary form.

County Manager's Recommendation

The County Manager recommends that Council adopt Incorporated County of Los Alamos Code Ordinance No. 02-355 as presented.

Body

In 2018, residents of the County raised questions about the structure and model of County's Animal Shelter and operations, and questioned whether it met the high standards for the humane treatment of the animals and a high level of service to our citizens. On July 18, 2018, the County Council approved the adoption of the Animal Shelter Ad Hoc Advisory Committee, and on June 25, 2019, the Committee presented its report with recommendations to Council. One of the Committee's recommendations included a review and revision of the Animal Code Ordinance to reflect current practices of animal welfare, surrender, seizure, quarantine, and adoption.

On November 13, 2023, a Town Hall was conducted regarding amendments to the Chapter 6 Animal Code. At the Town Hall, residents were informed of the content of changes and how citizens could provide feedback on the proposed changes. A website was established for written comments on the ordinance which remained active through December 7th and the Ordinances were scheduled for discussion at the December 12th Council meeting. At the December 12, 2023 County Council meeting, Council rejected Ordinance No. 02-306. In addition, Council asked staff to provide a substantive response to the public comments that were received.

On March 19, 2024, at the Council meeting, staff presented their substantive responses to the public comments, and Council provided feedback on the proposed changes to the ordinance.

Staff has incorporated Council's feedback in Ordinance No. 02-355 and made revisions necessary to accomplish the goals and recommendations of Council, including changes to the adoption fee schedule and process. The amendments to Chapter 6 contained in Ordinance No. 02-355 generally include:

1. Removal of all provisions of the Code that are Shelter policies, specifically Sections 6-7, 6-10, 6-14, 6-16, 6-17, 6-52, 6-83, and 6-84. Policies are proposed to be removed from the Code but will be included into the Shelter Policies developed by the Chief of Police and approved by the County Manager.
2. Addition a definition of "Chief of Police" which places the authority and obligation of the Chief, or designee, to develop and promulgate rules and policies pertaining to the operation of the Shelter for

review and approval by the County Manager.

3. Revision of the definition of Keeper to eliminate the more than six day time threshold before control or custody of an animal can be established.
4. Revision of Sec. 6-6 Unreasonable animal noise prohibited. (a) to read Except for noises made by livestock, it is unlawful for anyone to own, keep or harbor any animal that habitually howls, yelps, whines, barks, or makes other noises in a manner which unreasonably disturbs the public peace.
5. Deletion of language from Sec. 6-12 Penalty. Related to disposition of dangerous animals to comply with state law.
6. Revision of Sec. 6-15 Redemption of impounded animals. to clarify the redemption times of impounded animals, and payment of applicable fees and cost.
7. Revisions to Sec. 6-19 (a)(5) clarifying the language regarding the failure to meet pet's wellbeing.
8. Addition of Sec. 6-21 establishing Ashley Pond as a Wildlife Protected Area Designation.
9. Addition of Sec. 6-22 identifying the purpose of this Chapter.
10. Revisions to Sec. 6-122 Redemption of impounded animals. to clarify the reimbursement of costs incurred by the County.
11. Revisions to Sec. 6-123 Redemption of impounded exotic animals. to clarify the reimbursement of costs incurred by the County.
12. Revisions to Sec. 6-124 Adoption of impound animals to remove the fee schedule from the ordinance but still require Council approval, and to modify the adoption process, including the sterilization requirements.

If this ordinance is approved, staff will return to Council with a proposed fee schedule.

Alternatives

Council could not approve this ordinance, or approve with additional changes. If Council chooses to make additional changes thereby amending the ordinance in any matter of substance, Council may not adopt it until it has been considered by continuance of the meeting or at a future meeting not less than seven (7) days after the initial meeting.

Fiscal and Staff Impact/Planned Item

There is no additional fiscal impact if the ordinance is passed.

Attachments

A - Incorporated County of Los Alamos Code Ordinance No. 02-355

B - Chapter 6, Animals, in its entirety, for reference

C - Chief's Council Report

D - Publication Notice

E - Animal Control Administrative Policies DRAFT (supplemental information subject to change and for reference only)