



MEMORANDUM

TO: City Council

FROM: Michael T. Martinez, Chief of Police

BY: Zak Ayala, Police Commander

SUBJECT: Amendments to Title 6 (Animals) of the Arroyo Grande Municipal Code

DATE: April 8, 2025

RECOMMENDATION:

- 1) Adopt an Ordinance amending Title 6 (Animals) of the Arroyo Grande Municipal Code, titled: "AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ARROYO GRANDE, CALIFORNIA, AMENDING TITLE 6 (ANIMALS) OF THE MUNICIPAL CODE TO ADOPT AND INCORPORATE BY REFERENCE SAN LUIS OBISPO COUNTY CODE TITLE 9 (ANIMALS) AND TO RETAIN CERTAIN CITY REQUIREMENTS REGARDING ANIMALS"; and
- 2) Find that the ordinance is exempt from the California Environmental Quality Act (CEQA) because it will not result in a direct, or reasonably foreseeable indirect, physical change in the environment (State CEQA Guidelines, §§ 15060 (c)(2) and (3), 15378.).

IMPACT ON FINANCIAL AND PERSONNEL RESOURCES:

No financial impact is projected.

BACKGROUND:

The City of Arroyo Grande's animal control regulations, set forth in Title 6 of the Arroyo Grande Municipal Code (AGMC), guide the administration of animal control services within the City.

In 2023, City staff worked with staff from other cities within San Luis Obispo County (the "County") and County staff to review and develop consistent and uniform city ordinances and county regulations regarding animals. As a result of this work, uniform County Code Title 9 regulations were developed to allow consistent enforcement across the County and its cities. The County has asked each city that contracts with the County to adopt the County's Title 9 regulations by reference into their Municipal Code to streamline and simplify the enforcement of animal control consistently.

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By adopting Title 9 of the County Code by reference, many current Arroyo Grande municipal code provisions in Title 6 (Animals) will be duplicates. As a result, staff is recommending an overhaul of the current AGMC Title 6 and the adoption of a new ordinance in its place (Attachment 1) that will incorporate the San Luis Obispo County Title 9 regulations by reference.

The City will retain all current AGMC provisions that are not currently represented in Title 9, resulting in no significant changes to the current animal control rules and regulations, but will provide future efficiencies should the County make further updates to Title 9.

ANALYSIS OF ISSUES:

Title 9 of the County Code establishes rules and regulations related to the care, management, and keeping of animals within the County. Additionally, it establishes the County Division of Animal Services' role, responsibility, and authority in the enforcement of those codes. The last substantial revisions to the County's Animal Control Code occurred in 1998.

Since that time, standards and expectations with regard to animal care and control have evolved, leaving some of the code's provisions outdated and inconsistent with currently recognized best practices. Beyond addressing omissions and additions, the County Code revisions clarified existing language, resolved conflicting provisions, eliminated redundancies, and provided continuity between Title 9 and other sections of the County Code.

The AGMC contains the rules and regulations related to animal regulations in the City. Animal Control Officers from the County are tasked with enforcing the regulations of each contract city in the County, creating the potential for a confusing mix of numerous municipal codes, combined with the County Code, that required research and analysis, depending on which jurisdiction they were currently responding to for a call for service. Requiring each city that contracts with the County to adopt Title 9 of the County Code provides a standardized set of regulations that can be more easily enforced and create continuity throughout the County while still allowing each city to keep additional regulations that are not contained in Title 9.

Should the City adopt the County Code by reference, Chapters 6.04 (Definitions), 6.08 (Administration and Enforcement), 6.12 (Animal Control Regulations Generally), 6.16 (Dogs and Cats), 6.20 (Pet Shops and Other Animal Use Operations) of the AGMC will be repealed in their entirety.

In order to keep current animal regulations that are unique to the City in place, the following AGMC sections will be retained in a substantially similar form as they are not prohibited actions identified in the County Code:

- AGMC Chapter 6.24 Apiaries.

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- 6.24.010 – General requirements.
- 6.24.020 – Enforcement of provisions.

Pursuant to Government Code sections 36934 and 36937, ordinances are “introduced” by a first reading at a City Council meeting, “passed” (i.e. approved) at a later City Council meeting by conducting a second reading, and then take effect 30 days after passage.

At a public hearing on March 25, 2025, the City Council introduced and supported the Ordinance as proposed. The Ordinance amendments are now ready for adoption. The Ordinance amendments will become effective thirty (30) days after adoption.

ALTERNATIVES:

1. Adopt the Ordinance as proposed;
2. Modify the Ordinance amendments and direct staff to return at a future public hearing to introduce the modified amendments; or
3. Provide other direction to staff.

ADVANTAGES:

Adopting the Ordinance amendment will streamline processes and provide continuity with County Animal Control Services for animal services enforcement across the County and in the City.

DISADVANTAGES:

None identified.

ENVIRONMENTAL REVIEW:

The California Environmental Quality Act (“CEQA”) does not apply to the recommended action in this report. This proposed Ordinance is not a “project” subject to the California Environmental Quality Act (“CEQA”) because it has no potential to result in a direct or indirect physical change in the environment (State CEQA Guidelines, §§ 15060 (c)(2) and (3), 15378.) The sole effect of the proposed Ordinance is to adopt newly enacted and uniform animal regulations in consultation with the County of San Luis Obispo.

PUBLIC NOTIFICATION AND COMMENTS:

The Agenda was posted at City Hall and on the City’s website in accordance with Government Code Section 54954.2. The public hearing on this item was noticed in accordance with Government Code Section 50022.3.

ATTACHMENTS:

1. Proposed Ordinance amending Title 6 (Animals)
2. AGMC Title 9 Comparison
3. List of Title 9 not in AGMC
4. Proposed Arroyo Grande Municipal Code
5. Current Arroyo Grande Municipal Code

6. Current Title 9 San Luis Obispo County Code