



Agenda Report

File #: 19-0768

AGENDA REPORT REQUEST FOR CITY COUNCIL ACTION

DATE: 09/04/2019

TO: Honorable Mayor and City Council Members

FROM: Library and Recreation Services Department

SUBJECT:

City Council consideration of Ordinance No. 3299, first reading of an Ordinance of the City of Corona, California amending Chapter 6.12 of the Corona Municipal Code regarding animal defecation on public property.

RECOMMENDED ACTION:

That the City Council introduce by title only and waive full reading for consideration of Ordinance No. 3299, first reading of an ordinance amending Chapter 6.12 of the Corona Municipal Code (CMC) regarding animal defecation on public property.

ANALYSIS:

The City of Corona ("City") is a member of the Riverside County Watershed Protection ("RCWP") program. RCWP is a collection of 27 cities, the County of Riverside, the Coachella Valley Water District, and the Riverside County Flood Control & Water Conservation District. The RCWP program is a partnership that focuses on the management of watershed programs in order to ensure the sustainable and productive use of our natural resources, one of the most vital being surface waters. Surface waters are important, as these local waterways and creeks lead to the ocean. Maintaining water quality for humans and the environment means it is also important to protect these waters from stormwater pollution.

Pet waste that is not properly disposed of is a source of pollution to waterways and streams. Bacteria from dog waste accounts for up to 20% of bacteria in urban water ways. A gram of pet waste can contain 23 million fecal coliform bacteria and can spread diseases like Giardia and Salmonella. Additionally, nutrients such as nitrogen and phosphorous, which act as fertilizers in rivers and streams and cause algae growth, are found in dog waste. Increased algae growth reduces available oxygen for fish and can lead to significant decreases in their populations.

Pet waste is picked up through rain and irrigation that flows across yards and trails and is deposited into storm drains that lead to streams and, ultimately, the ocean. Unlike sewer or wastewater, storm

water is not treated; thus, any contaminants that enter the storm drain system flow directly to waterways. The best protection against the problem is prevention of pet waste from entering surface waters.

Pet waste is also harmful to landscaping and, when not picked up, is a general public nuisance. It is estimated that there are over 90,000 dogs in the region, which produce approximately 12,000 tons of waste annually.

Corona recently launched a public information campaign to raise awareness of the issue and remind pet owners to be conscientious and responsible. The campaign consists of social media blasts, ball field banners, street signs and banners, and the installation of additional pet waste bag stations at several parks throughout the City. Additionally, the City obtained 1,200 free pet waste disposal bags carriers with leash clips from RCWP. These are being distributed to the public to further promote proper disposal. The final phase of program implementation is a recommendation to expand the City's existing ordinance regarding dogs and cats to include a provision requiring pet owners to pick up and properly dispose of pet waste from public property.

The recommended action will add a section to Chapter 6.12 (Dogs and Cats - General Regulations) that makes it unlawful for the owner or anyone having charge or control of any animal to allow pet waste to remain on public property and mandates immediate and appropriate disposal in a waste receptacle. The CMC currently requires proper disposal of pet waste only in City parks. The change expands the requirement to include all public property and rights-of-way. Staff recommends adoption of this ordinance to emphasize the importance of responsible pet ownership and to provide enforcement capabilities for Animal Control personnel.

COMMITTEE ACTION:

This item was taken to the Parks and Recreation Commission on May 8, 2019 and before the Public Services Committee on June 6, 2019. Both bodies fully support the proposal.

STRATEGIC PLAN:

This item supports the City's Strategic Plan Goal 1: Promote Public Safety: Protect our Residents and Businesses; Objective c: Ensure adequate funding for investments and improvement in infrastructure that support public safety. The recommended action will help achieve these goals by ensuring funds that pet waste is properly removed from and disposed from public property.

FISCAL IMPACT:

This action will have minimal fiscal impact and is already included in the Maintenance Services' operating budget for Fiscal Year 2019-20. The Maintenance Services and Library and Recreation Services Departments and the Animal Control division of the Police Department currently receive calls regarding the non-disposal of pet waste. Animal Control responds to these calls. No additional staffing is necessary for this program.

ENVIRONMENTAL ANALYSIS:

This action is exempt pursuant to Sections 15307 and 15308 of the Guidelines for the California Environmental Quality Act (CEQA), which state that actions taken by regulatory agencies to assure the maintenance, restoration, or enhancement of a natural resource and/or the environment where the regulatory process involves procedures for protection of the environment is exempt from CEQA. This action involves an ordinance to require the prompt and proper disposal of pet waste on public

property, which will help protect surface waters by reducing bacteria and pollution from animal feces from entering waterways and streams, which, in turn, will maintain water quality for drinking, fishing, swimming and other activities.

PREPARED BY: TRACY MARTIN, UTILITIES PROJECT MANAGER

REVIEWED BY: DAVID MONTGOMERY-SCOTT, LIBRARY AND RECREATION SERVICES DIRECTOR

REVIEWED BY: GEORGE JOHNSTONE, CHIEF OF POLICE

REVIEWED BY: KERRY D. EDEN, ASSISTANT CITY MANAGER/ADMINISTRATIVE SERVICES DIRECTOR

REVIEWED BY: MICHELE NISSEN, ASSISTANT CITY MANAGER

SUBMITTED BY: MITCHELL LANSDELL, ACTING CITY MANAGER

Attachments:

1. Ordinance No. 3299 (Redlined)
2. Ordinance No. 3299 (Clean)

ORDINANCE NO. 3299

AN ORDINANCE OF THE CITY OF CORONA, CALIFORNIA, AMENDING CHAPTER 6.12 OF THE CORONA MUNICIPAL CODE REGARDING ANIMAL DEFECATION ON PUBLIC PROPERTY

WHEREAS, the Riverside County Watershed Protection (“RCWP”) program is a partnership between the County of Riverside, the Coachella Valley Water District, the Riverside County Flood Control & Water Conservation District and 27 cities, including the City of Corona (“City”), that manages watershed programs focused on sustainable and productive use of our natural resources; and

WHEREAS, the RCWP seeks to protect surface waters by reducing water pollution that is carried by stormwater to local creeks and water ways leading to the ocean in order to maintain water quality for drinking, fishing, swimming and other activities; and

WHEREAS, it is recognized by RCWP that pet waste can introduce pollution into waterways, which can lead to bacteria problems that can spread diseases like Giardia and Salmonella and also nutrient problems, which can result in algae growth that, in turn, reduces the available oxygen in water for fish; and

WHEREAS, the City Council (“City Council”) of the City recognizes that pet waste that is not picked up and disposed of properly, not only causes potential environmental and health issues and damage to landscaping, but it is also a nuisance to the public at large that reduces the quality of life.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF CORONA
DOES ORDAIN AS FOLLOWS:**

SECTION 1. The City Council adopts the recitals set forth above as its findings in connection with the adoption of this ordinance.

SECTION 2. Sections 6.12.140 through 6.12.190 of Chapter 6.12 (Dogs and Cats – General Regulations) of Title 6 (Animals) of the Corona Municipal Code are hereby reorganized as follows:

- A. Existing Section 6.12.140 (Impoundment of dogs and cats – Authorized – Registry) is renumbered as Section 6.12.150 (Impoundment of dogs and cats – Authorized – Registry).
- B. Existing Section 6.12.150 (Impoundment of dogs and cats – Microchip scan – Notice) is renumbered as Section 6.12.160 (Impoundment of dogs and cats – Microchip scan – Notice).

- C. Existing Section 6.12.160 (Impoundment of dogs and cats - Minimum holding period - Redemption, release or euthanasia) is renumbered as Section 6.12.170 (Impoundment of dogs and cats - Minimum holding period - Redemption, release or euthanasia).
- D. Existing Section 6.12.170 (Impoundment of dogs and cats - Conditions of redemption or release) is renumbered as Section 6.12.180 (Impoundment of dogs and cats - Conditions of redemption or release).
- E. Existing Section 6.12.180 (Violations and responsibility) is renumbered as Section 6.12.190 (Violations and responsibility).
- F. Existing Section 6.12.190 (Other enforcement actions) is renumbered as Section 6.12.200 (Other enforcement actions).

SECTION 3. A new Section 6.12.140 (Animal defecation on public property) is hereby added to Chapter 6.12 (Dogs and Cats – General Regulations) of Title 6 (Animals) of the Corona Municipal Code to read as follows:

“6.12.140 Animal defecation on public property.

It shall be unlawful for the owner or person having the charge or control of any animal to permit such animal to defecate and to allow the feces to remain upon any public property, including parkways and rights-of-way, not owned or possessed by the owner or person having the charge or control of such animal, and the person shall immediately and securely enclose all feces deposited by the animal in a bag, wrapper, or other container and dispose of it in a sanitary manner in a proper waste receptacle. A blind person who has the charge or control of a guide dog shall be exempt from the provisions of this section.”

SECTION 4. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in a general circulation newspaper published and circulated in the City of Corona. This Ordinance shall take effect and be in force on the 30th day after its adoption.

ADOPTED this 18th day of September, 2019.

Mayor of the City of Corona, California

ATTEST:

City Clerk of the City of Corona, California

CERTIFICATION

I, SYLVIA EDWARDS, City Clerk of the City of Corona, California, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council of the City of Corona, California, duly held on the 4th day of September 2019, and thereafter at a regular meeting held on the 18th day of September 2019, it was duly passed and adopted by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAINED:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this ____ day of _____, 2019.

City Clerk of the City of Corona, California

SUMMARY

On September 18, 2019, the Corona City Council will consider adopting an ordinance regulating the proper disposal of pet waste from public property. A certified copy of the full text of this proposed ordinance is posted in the City Clerk's Office.

The City Council meets at 6:30 p.m. in the Council Chambers in the Corona City Hall, located at 400 South Vicentia Avenue. The City Clerk's office is located in City Hall near the Council Chambers.

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- D. Existing Section 6.12.170 (Impoundment of dogs and cats - Conditions of redemption or release) is renumbered as Section 6.12.180 (Impoundment of dogs and cats - Conditions of redemption or release).
- E. Existing Section 6.12.180 (Violations and responsibility) is renumbered as Section 6.12.190 (Violations and responsibility).
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