

ORDINANCE NO. 2459

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF WEST COVINA, CALIFORNIA AMENDING CHAPTER 6
OF THE CITY OF WEST COVINA MUNICIPAL CODE**

WHEREAS, the City of West Covina (“City”) currently contracts with the County of Los Angeles (“County”) for the provision of animal control services; and

WHEREAS, pursuant to the City’s contract with the County, the City adopted by reference Title 10 of the Los Angeles County Code of Ordinances into Chapter 6 (Animals and Fowl) of the West Covina Municipal Code; and

WHEREAS, the City’s contract with the County expires on June 30, 2019; and

WHEREAS, commencing July 1, 2019, the Humane Society of Pomona Valley Inc. dba Inland Valley Humane Society and S.P.C.A. (“Humane Society”) began providing the City’s animal control services; and

WHEREAS, the City desires to amend Chapter 6 to enable the Humane Society to provide animal control services.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF WEST COVINA, CALIFORNIA, DOES HEREBY RESOLVES AS FOLLOWS:

SECTION 1. Section 6-5 (Amendments) of Chapter 6 (Animals and Fowl) of the West Covina Municipal Code is hereby amended to add subsections (f), (g), and (h), and (i) as follows:

- (f) Section 10.04.050 (Powers of Deputies) is deleted in its entirety and replaced as follows:

10.04.050 – Designated Officers

A power granted to or a duty imposed upon the Director or other public officer may be exercised or performed by any officer or employee of the Department designated by the Director.

- (g) Section 10.04.065 (Fees for Services) is deleted in its entirety and replaced as follows:

10.04.065 – Fees for Services

The fees and costs for animal-related services will be determined annually by the city, and will be posted in each animal care center and on the Department’s website.

- (h) Section 10.08.100 (Department) is deleted in its entirety and replaced as follows:

10.08.100 – Department

“Department” means the organization or entity designated by the city council as the city’s animal control enforcement agency.

- (i) Section 10.08.110 (Director) is deleted in its entirety and replaced as follows:

“Director” means the director of the city’s designated animal control enforcement agency.

SECTION 2. DESIGNATION OF ANIMAL CONTROL ENFORCEMENT AGENCY. The City Council hereby designates the Humane Society of Pomona Valley, Inc. dba Inland Valley Humane Society & S.P.C.A. (“Humane Society”), a nonprofit corporation, as the City’s animal control enforcement agency. As the City’s animal control enforcement agency, the Humane Society is authorized to enforce the provisions of Chapter 6. This authority includes the authority to issue administrative citations for violations of Chapter 6. Although this authority granted by this Section 2 is provided in an ordinance, this grant of authority to the Humane Society may be amended by resolution of the City Council.

SECTION 3. ENVIRONMENTAL REVIEW. The Council finds that adoption of this Ordinance is not a “project” pursuant to California Public Resources Code Section 21065 and CEQA Guidelines Section 15378(a)(5) because CEQA only applies to “projects” and the definition of “project” excludes “administrative activities of governments that will not result in direct or indirect physical change in the environment”, and this Ordinance merely amends Municipal Code provisions relating to animal control.

SECTION 4. SEVERABILITY. If any section, subsection, clause or phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of all other provisions of this Ordinance. The City Council of West Covina hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase or portion thereof, irrespective of the fact that any one or more of the sections, subsections, sentences, clauses, or phrases or portions thereof be declared invalid or unconstitutional.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective 30 days after its adoption.

SECTION 6. CERTIFICATION. The City Clerk shall certify to the adoption of this Ordinance and shall cause this Ordinance to be published or posted as required by law.

PASSED, APPROVED AND ADOPTED this 2nd day of July, 2019.



Lloyd Johnson
Mayor

APPROVED AS TO FORM

ATTEST



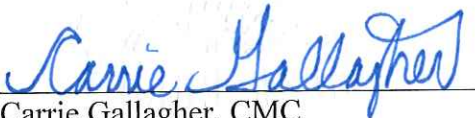
Scott E. Porter
City Attorney



Carrie Gallagher, CMC
Assistant City Clerk

I, CARRIE GALLAGHER, ASSISTANT CITY CLERK, custodian of the original records, which are public records over which I maintain custody and control for the City of West Covina, HEREBY CERTIFY the foregoing Ordinance, being Ordinance No. 2459, was introduced at the June 18, 2019 regular Council meeting and adopted at a regular meeting of the City Council on July 2nd, 2019, by the following roll call vote:

AYES: Castellanos, Lopez-Viado, Shewmaker, Wu, Johnson
NOES: None
ABSTAIN: None
ABSENT: None



Carrie Gallagher, CMC
Assistant City Clerk