

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COSTA MESA, CALIFORNIA, ADOPTING FINES FOR BARKING DOG VIOLATIONS UNDER SECTIONS 3-113 AND 3-114 OF THE COSTA MESA MUNICIPAL CODE

THE CITY COUNCIL OF THE CITY OF COSTA MESA DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, the City of Costa Mesa has established regulations for public nuisances involving barking dogs under the provisions of Title 3, Article 3, Sections 3-113 and 3-114; and

WHEREAS, city officers are authorized to issue administrative citations under these municipal code section in order to punish offenders and encourage correction of the public nuisance violations for which citations are issued; and

WHEREAS, the Costa Mesa City Council finds and determines that a graduated fine schedule is appropriate to ensure that owners of dogs who are creating a public nuisance have adequate incentive to correct and stop the occurrence of such public nuisances; and

WHEREAS, the Costa Mesa City Council finds and determines that the fine schedule attached as Exhibit "A", which is incorporated herein, establishes an appropriate incentive to animal owners to ensure that public nuisances are not created by their animals;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Costa Mesa, California, does hereby adopt the fine schedule attached hereto as Exhibit "A" and authorize that this resolution shall take effect and be in full force immediately.

PASSED AND ADOPTED this _____ day of _____ 2008.

Mayor of the City of Costa Mesa

ATTEST:

APPROVED AS TO FORM:

Julie Folcik, City Clerk

Kimberly Hall Barlow, City Attorney

STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF COSTA MESA)

I, Julie Folcik, City Clerk and ex-officio Clerk of the City Council of the City of Costa Mesa, hereby certify that the above and foregoing Resolution No. _____ was duly and regularly passed and adopted by the said City Council at a regular meeting thereof held on the _____ day of _____ 2008.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Costa Mesa this _____ day of _____ 2008.

City Clerk and ex-officio Clerk of
the City Council of the City of Costa Mesa

Exhibit A

Fine Schedule for Barking Dog Violation Under CMMC 3-113 and 3-114

Fine for First Barking Dog Violation Citation Issued (Per Citation):	\$250.00
Fine for Second Barking Dog Citation Issued within Same 12-month Period (Per Citation):	\$275.00
Fine for Third Barking Dog Citation Issued within Same 12-month Period (Per Citation):	\$303.00
Fine for Fourth Barking Dog Citation Issued within Same 12-month Period (Per Citation):	\$333.00
Fine for Fifth Barking Dog Citation Issued within Same 12-month Period (Per Citation):	\$366.00
Fine for Sixth and Subsequent Barking Dog Citations Issued within Same 12- month Period (Per Citation):	\$403.00

Exhibit A

Fine Schedule for Barking Dog Violation Under CMMC 3-113 and 3-114

Fine for First Barking Dog Violation Citation Issued (Per Citation):	\$100.00
Fine for Second Barking Dog Citation Issued within Same 12-month Period (Per Citation):	\$250.00
Fine for Third and Subsequent Barking Dog Citation Issued within Same 12-month Period (Per Citation):	\$500.00