



CITY COUNCIL AGENDA REPORT

MEETING DATE: September 2, 2008

ITEM NUMBER: VI - 12

SUBJECT: Barking Dog Fine Resolution

DATE: August 26, 2008

FROM: City Manager

PRESENTATION Julie Folcik, City Clerk

BY:

FOR FURTHER INFORMATION CONTACT: Julie Folcik, City Clerk (714) 754-5221

RECOMMENDATION:

Adopt the attached resolution establishing the fine schedule for barking dog citations.

BACKGROUND:

At the Council Meeting of August 5, 2008, City Council gave first reading to an ordinance relating to regulations for barking dogs, that established measurable and objective criteria specific to a dog barking, howling, crying, etc. including time period of continuous barking and total barking time over a 24 hour period; and it was requested that staff bring forward options for a fine structure for citations that may be issued. At the meeting of August 19, 2008, with the adoption of Ordinance No. 08-6, revising the animal regulations relative to barking dogs, an alternative for the fine structure was also approved, as amended by adding a written warning into the fee schedule and establishing the first citation fine amount of \$200.

At the time the ordinance was adopted, the alternative fee structure was discussed and ultimately defined, and the proposed resolution was presented to Council but was not formally listed on the agenda for adoption.

ANALYSIS:

As noted in the Costa Mesa Municipal Code Section 1-40, "the amount of the fines for violating particular provisions of this Code shall be set in a schedule of fines adopted by resolution by the city council." The fines are established pursuant to the provisions listed in Costa Mesa Municipal Code Sections 3-113 and 3-114 of the newly adopted ordinance.

ALTERNATIVES CONSIDERED:

None considered.

FISCAL REVIEW:

None Required.

LEGAL REVIEW:

The City Attorney's Office has prepared the resolution to formally establish the citation fines.

CONCLUSION:

City Council is requested to adopt the attached resolution establishing the citation fine structure, previously approved by the City Council.

JULIE FOLICK
City Clerk

ALLAN ROEDER
City Manager

THOMAS R. HATCH
Assistant City Manager

KIMBERLY HALL BARLOW
City Attorney

DISTRIBUTION: City Council
 City Manager
 Assistant City Manager
 City Attorney

ATTACHMENT: 1. [Barking Dog Fine Resolution](#)