

Millbrae City Council/Redevelopment Agency
November 8, 2005

11. Repeal of the Current Animal Control Ordinance and First Reading of the Revised Animal Control ordinance

Police Chief Tom Hitchcock stated that he reviewed the letter submitted at the October 25th meeting by Sharon Coleman and said that if all pet owners were as conscientious as her and the American Kennel Club, there would be no need for animal control ordinances. Chief Hitchcock noted the dramatic decrease in animal euthanasia due to spay and neuter laws and advised that unless a cat is licensed, there is no way to connect it with an owner if it should wind up in a shelter. He stated that the third issue, which garnered much discussion at the October 25th meeting was the animal limit regulation. He agreed that responsible owners do take care of multiple animals, and he is looking for a reasonable number. Chief Hitchcock explained that he does not have the resources or the inclination to pro-actively seek out violators, and when responding to calls, the officer generally won't cite the pet owner, but will look for ways to help solve the problem. Chief Hitchcock stated that a resident would be able to obtain a permit for additional animals, and that the process won't be cost prohibitive, nor would the permit application be categorically denied

Renee Reiten, Spring Valley Lane, stated that she supports limiting the number of animals and recounted her experience and frustration in dealing with a feral cat population in her yard due to the cats being fed by her neighbor. She explained that although she followed the Humane Society's advice to trap the cats and deliver them to a shelter, they appeared in her yard again 3 days later. Ms. Reiten stated that the County shelter told her that because Millbrae has no cat limit, a person who is feeding a feral cat could retrieve it from the shelter, Ms. Reiten implored the Council to support the animal limits so that her children could have a healthy environment in their own yard,

Nancy Marquez, Spring Valley Lane, stated that she owns four inside cats that are licensed and one dog. Ms. Marquez explained that the Homeless Cat Network had visited her home and neutered all the feral cats that she feeds. Ms. Marquez stated that Ms. Reiten's comments are not accurate, and that a parking problem was the catalyst for her complaint.

Sharon Coleman, stated that she has spoken as a Millbrae resident, but she has worked for the Cat Fanciers' Association and that she hoped the Council read her letter. Ms. Coleman stated that the issues raised by Ms. Reiter are not a limit problem, but are a neighborhood problem and could be resolved through conflict resolution. She explained that she is opposed to mandatory licensing and mandatory rabies vaccinations for cats, although if an owner does let their cat outside, it should have identification. Ms. Coleman stated that feral cats are not owned cats and so passing a limit law won't solve the problem.

Gale Grinsell, Millbrae Avenue, asked how many cities on the peninsula have limit laws and where does Millbrae stand,

Chief Hitchcock referred to the listing of San Mateo County cities and their animal limits, noting that of the twenty cities, Millbrae and East Palo Alto are the only two cities that don't regulate numbers. He explained that adopting this ordinance would make it easier to deal with feral cats.

Councilmember Larson stated that she is aware of the Homeless Cat Network and there are cases where feral cats are trapped, spayed or neutered, and then returned to the open property where they had lived, which in that case was not a problem. She noted, however, that this situation is a suburban environment where lifestyles and habits converge and impact personal space. Councilmember Larson asked what mechanism is there to deal with feral cats that are being supported by an individual in an urban situation.

Joan Cassman, City Attorney, stated that feral cats are a problem because there is no ownership, however, where there is care provided, one could argue that there is some responsibility implied.

Councilmember Larson stated that she is a pet owner and animal lover and she believes all residents need to be responsible owners. She expressed her support for the ordinance and advised that in all permit situations, it is the conduct of the permittees and non-permittees that causes enforcement. She explained that whether an owner has 6 or 60 animals, its their conduct that causes enforcement.

Councilmember Larson offered a motion to repeal the current Animal Control Ordinance and waive the first reading and introduce the revised Animal Control Ordinance a. new Chapters 6.04, 6.08, 6.12, and 6.14 of the Millbrae Municipal Code.

Vice Mayor Quigg seconded the motion.

Councilmember Gottschalk stated that currently the City has no way of knowing what residents have in terms of numbers and he would hate to see a limit that causes problems for pet owners. He noted that the Chief implied that enforcement would not be strict, thorough, or restrictive, but he wanted to comment on his particular concern.

Vice Mayor Quigg stated that he concurred with Councilmember Gottschalk, but he thinks the Chief has presented a reasonable approach, and a limit of 3 dogs and 3 cats appears pretty liberal where looking at other cities' restrictions. He explained that when there is care by a responsible owner, securing a permit wouldn't be an issue.

Councilmember Holober stated that she has no problem with the rabies shot, basic licensing, or spay/neuter requirements. She explained that she does have concerns with the limit its, although she understands that an owner can get permit, which makes it a little more reasonable. Councilmember Holober stated that in light of the fact that a

permit for additional animals is available, she could support the ordinance, but it does cause her some pain to establish limits,

Vice Mayor Quigg stated that the issue of additional animals sounds like it is a workable problem, however, the issue of feral cats doesn't seem to be resolved with this ordinance because there's no ownership,

Mayor Hershman stated that he understands that the Humane Society released the feral cats back to the resident because Millbrae has no established limit and if the City did, there would have been a way to address that situation.

Upon a call of the roll, the motion to repeal the current Animal Control Ordinance and waive the first reading and introduce the revised Animal Control Ordinance as new Chapters 6.04, 6.08, .12, and 6.14 of the Millbrae Municipal Code was unanimously approved.