



Agenda Date: 11/22/2005
Agenda Placement: 6Z

NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

TO: Board of Supervisors
FROM: Susan Ingalls for Robert Westmeyer - County Counsel
County Counsel
REPORT BY: Susan Ingalls, Paralegal, 259-8152
SUBJECT: Second Reading and Adoption of Ordinance Amending Penalties for Infractions and Animal Violations.

RECOMMENDATION

Second reading and adoption of an ordinance amending the Napa County Code by amending the criminal violation and penalty section of Chapter 1.20 relating to Violations of Local Building and Safety Codes, adding a new section and amending a section of Chapter 6.04 relating to diseased and vicious animals and penalties imposed for Animal Control violations, and amending the criminal sanctions imposed for a violation of Chapter 6.16 (Dangerous Animals).

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

EXECUTIVE SUMMARY

The proposed action implements prior Board direction to County Counsel to increase penalties associated with building and safety code violations as permitted under recently amended Government Code section 25132, and to amend certain code sections pertaining to animal control violations as requested by the District Attorney and Department of Environmental Management.

FISCAL IMPACT

Is there a Fiscal Impact? No

ENVIRONMENTAL IMPACT

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

BACKGROUND AND DISCUSSION

The Public Hearing held on October 18, 2005 was continued to November 15, 2005 to allow the Public Defender to consult with the District Attorney's office on the proposed amendments to the animal control violations. After consultation, the Public Defender indicated the proposed amendments are acceptable and no changes have been made from the previous version.

On November 15, 2005, the Board opened the public hearing and introduced the ordinance, read the title, waived reading the balance of the ordinance and declared its intention to adopt the ordinance. The ordinance is now before the Board for formal adoption.

County Counsel recommends adoption of the Ordinance.

SUPPORTING DOCUMENTS

A . Final Ordinance

CEO Recommendation: Approve

Reviewed By: Lynn Perez