

CITY OF LOYALTON

COUNTY OF SIERRA
605 SCHOOL STREET
P.O. BOX 128
LOYALTON, CALIFORNIA 96118
(530) 993-6750
cityofloyalton.org



OFFICE OF THE MAYOR

**AGENDA FOR THE REGULAR MEETING OF THE
LOYALTON CITY COUNCIL
6:00 P.M. – CITY HALL AUDITORIUM
605 SCHOOL STREET
JUNE 15th, 2021
NEXT ORDINANCE #423
NEXT RESOLUTION NO. 2-2021**

**AGENDA & PACKET AVAILABLE ON CITY WEB SITE
cityofloyalton.org**

Any person with a disability may submit a request for reasonable modification or accommodation to the above-described means for accessing and offering comment at the meeting to Kathy LeBlanc, City Clerk, at [\[ofclerk-cityofloyalton@psln.com\]](mailto:ofclerk-cityofloyalton@psln.com) who will swiftly resolve such request.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **ANNOUNCEMENTS**
6. **APPROVAL OF MINUTES**
Regular Meeting May 18th, 2021 (Attachment)
7. **STAFF REPORTS**
8. **PUBLIC COMMENT**

This is an opportunity for members of the public to address the Council on items which are not on the agenda. Please state your name for the record. Comments are limited to three minutes. Written comments should be submitted to the City Clerk 24 hours prior to the meeting to allow for distribution. Under Government Code Section 54954.2 – Brown Act, the Council **cannot take action on any item not on the posted agenda**

9. **FIRE DEPARTMENT REPORT**

10. **FINANCIAL COMMITTEE REPORTS**

1. Financial Committee Report/Update

- Approval of Reconciled Accounts for May, 2021 (Attachment)
- Approval of Bill Sheet May 2021 (Attachment)
- Acknowledgment of Approval of Fund Transfer from General 1956 to Enterprise Loan MM 0559 not to exceed \$30,000.00 (Attachment)
- Adoption of Preliminary Budget 2021-2022 (Attachment)
- Discussion and Possible Action regarding LAIF Interest.

11. **PUBLIC WORKS COMMITTEE REPORTS/PARK AND RECREATION**

1. Update on Well # 3

12. **OTHER COMMITTEE REPORTS**

13. **DISCUSSION AND POSSIBLE ACTION ITEMS**

1. Discussion and Possible Action regarding Waiving Second Reading, and Adoption of Amendment to Ordinance #423 to the City of Loyaltyon Municipal Zoning Code. (Copy of Zoning Code available upon request or On the City Web Site)
2. Discussion and Possible Action regarding adoption of Resolution #2-2021 List of Projects for Fiscal Year 2021-2022 Funded by SB-1: The Road Repair and Accountability Act of 2017. (Attachment)
3. Discussion and Possible Action regarding amending Ordinance #391 Monthly Compensation for Members of the Loyaltyon City Council (Attachment)
4. Discussion and Possible Action regarding Animal Ordinance (Attachment)
5. Discussion and Possible Action regarding change of Propane Company.
6. Discussion and Possible Action regarding Building and Planning for the City of Loyaltyon. (Attachment)
7. Discussion and Possible Action regarding Sewer Connection for 609 Church Street. (Attachment)
8. Discussion and Possible Action regarding potential utilities and out of Service Agreement for 207 Hill Street.

14. **CLOSED SESSION**

1. Closed Session Pursuant to Government Code Section 54957, Public Employee Performance Evaluation (WWTP Operator)

15. **AGENDA INPUT FOR UPCOMING MEETINGS**

16. **BOARD MEMBER CLOSING REMARKS**

17. **ADJOURNMENT**

May 18th, 2021

REGULAR MEETING

The Regular meeting of the Loyalton City Council was called to order by Mayor S. Jackson on May 18th, 2021 at 6:00 p.m. Loyalton City Auditorium

COUNCIL MEMBERS PRESENT Mayor S. Jackson, N. Rogers, J. Markum, D. Riede, J. Gerow

COUNCIL MEMBERS ABSENT

STAFF PRESENT

City Clerk- Kathy LeBlanc, Bookkeeper- Jamie Stockdale

GUESTS PRESENT

J. Mertton, J. Buck, R. DeMartini, P. DeMartini, D. Lawlor, B. Mertton, T. LeBlanc, R. Beli, M. Fillippini, P. Fillippini G. Price via Zoom

APPROVAL OF AGENDA

It was moved by J. Markum, seconded by N. Rogers to approve the agenda as presented. Motion unanimously carried.

ANNOUNCEMENTS

None

APPROVAL OF MINUTES

1. It was moved by J. Markum, seconded by N. Rogers to approve the minutes of the Regular Meeting of April 20, 2021. Motion carried. J. Gerow abstained.
2. It was moved by J. Markum, seconded by N. Rogers to approve the minutes of the Special Meeting of May 13th, 2021. Motion unanimously carried.

STAFF REPORTS/WRITTEN COMMUNICATIONS

1. Mayor Jackson reported on the Loyalton Mobile Park in regards to capacity. D. Lawlor informed the council that clean-up of the Mobile Park should begin on the 24th of May.
2. Mayor Jackson reported that she is in contact with Sierra County Planning Department in regards to them taking back the City of Loyalton Building Department. This item will be added to the June Agenda.
3. Mayor Jackson requested that the City Clerk place a lien on 11 Zollinger for clean-up.
4. City Clerk K. LeBlanc reported that the insurance company is working on getting more estimates for the Pool clean-up.

TIMED ITEM TERRY LEBLANC

Terry LeBlanc addressed the council on the upcoming events in the City of Loyalton, the car show will take place on June 12, he also stated that we will be having a Fourth of July Parade, and possibly a small Timberfest in September. He is also working with media on advertisement for Sierra County Tourism.

TIMED ITEM PUBLIC HEARING HOUSING ELEMENT

1. G. Price via zoom presented the Loyalton City Council and Public on the update to the City of Loyalton Zoning Code and introduce the amendment of Zoning Code Ordinance #423. Mayor Jackson then opened the Public Hearing for comments; 1. D. Lawlor asked if existing properties were grandfathered in. 2. D. Riede question regarding new parking and the landscaping. Having no other comments, Mayor Jackson closed the Public Hearing.

1. It was moved by D. Riede, seconded by N. Rogers to adopt the amendment to the Zoning Ordinance for exception from environmental review. Roll Call: J. Markum-Aye, J. Gerow-Aye, N. Rogers-Aye, D. Riede-Aye, Mayor Jackson-Aye. Motion unanimously carried.

2. It was moved by J. Markum, seconded by N. Rogers to approve that the Zoning Ordinance is consistent with the General Plan. Roll Call: J. Markum-Aye, J. Gerow-Aye, N. Rogers-Aye, D. Riede-Aye, Mayor Jackson-Aye. Motion unanimously carried.

3. It was moved by J. Markum, seconded by N. Rogers to waive the first reading and adopt Ordinance # 423, an amendment to Chapter 17 of the Loyalton Municipal Code repealing and replacing the Zoning Ordinance. Roll Call: J. Markum-Aye, J. Gerow-Aye, N. Rogers-Aye, D. Riede-Aye, Mayor Jackson-Aye. Motion unanimously carried.

PUBLIC COMMENT

M. Fillippini addressed the council in regards to the sewer lines at 609 Church. After a discussion of the problem, N. Rogers will contact the WWTP Operator and look into the problem. This item will be added to the June Agenda.

FIRE DEPARTMENT REPORT

Assistant Chief R. DeMartini reported to the council stating that they have had 68 calls so far this year, one of which was a wild fire caused by arson. He thanked the Forest Service and Sierraville Fire Department for their assistance and stated that we should remain vigilant for the upcoming Fire Season and if you see something say something. He also stated that the Type 3 engine is being outfitted and fixed for minor repairs. He stated that they are working on flushing of the hydrants.

1. It was moved by J. Markum, seconded by N. Rogers to approve reimbursement to Fire Department for training not to exceed \$1,275.00. Motion unanimously carried.

2. It was moved by J. Markum, seconded by N. Rogers to approve reimbursement to Fire Department for training not to exceed \$1,700. Motion unanimously carried.

FINANCIAL COMMITTEE REPORT/UPDATE

Councilmember Markum reported on the Finance Meeting stating that the regular monthly meetings are going well and budget is looking cleaner. She also reported that the 19-20 should take place in June.

1. It was moved by J. Markum, seconded by N. Rogers to approve the reconciled Accounts for April 2021. Motion unanimously carried.

2. It was moved by D. Riede, seconded by N. Rogers to approve the bill sheet not to exceed \$193,873.52. Motion unanimously carried.

ACKNOWLEDGEMENT OF APPROVAL OF FUNDS TRANSFERS

1. It was moved by J. Markum, seconded by N. Rogers to approve the fund transfer from General 1956 to Enterprise MM 0559 not to exceed \$24,000. Motion unanimously carried.
2. It was moved by D. Riede, seconded by N. Rogers to approve fund transfer from General 1956 to Fire Department Reserve 7243 for Zogg Fire not to exceed \$37,914,54. Motion unanimously carried.

REIMBURSEMENT FOR USDA

None

PUBLIC WORKS COMMITTEE REPORTS/PARK AND RECREATION

1. Councilmember Rogers reported that the drip lines downtown are working, and the park is looking good. She also reported that the toilet for the restrooms at the park has been ordered and should be here soon. She also stated that she is working with the Merttons on the drip line. She reported that she is working on the Security Cameras

OTHER COMMITTEE REPORTS

1. Councilmember Riede reported that the LTC meeting is tomorrow. Councilmember Markum reported the she and Councilmember Gerow attended the SVGWMD Meeting. Councilmember Rogers had a meeting with Liberty on getting new street lights in Loyaltown with the exception of the lights that belong to the City on Main Street. Councilmember Rogers also reported that the algae has disappeared at the WWTP. They are looking into it.

DISCUSSION AND POSSIBLE ACTION ITEMS

1. Mayor Jackson reported on the recent dog attack in Loyaltown, she reported that the dog owner is reimbursing the City for the Cost to impound the dogs. Mayor Jackson also reported that she is working with the County on the Animal Ordinance. This item will be added to the June agenda.
2. After a brief discussion it was moved by D. Riede, seconded by N. Rogers to increase the pay for Councilmember's to \$150.00 per month. Motion unanimously carried. A amendment to the ordinance will be brought back to the council for final approval at the June meeting.
3. Mayor Jackson addressed the Council on the re-assignment for the following boards and committees: LAFCO, LTC, Score will remain the same. Finance will be Joy Markum, Jerry Gerow, Sarah Jackson as alternate. Public Works will be Nancy Rogers and Jerry Gerow with Darlene as alternate. Personnel will be Joy Markum, Darlene Riede. SVGWMD will be Jerry Gerow with Joy Markum as alternate.
4. Mayor Jackson addressed the council on Order and Decorum and asked that all councilmember's sign the form and return to City Clerk.
5. After a brief discussion, it was moved by J. Markum, seconded by N. Rogers to approve the changes of payroll date to every other Thursday after noon. Motion unanimously carried.

INPUT FOR UPCOMING MEETINGS

1. Animal Control Ordinance
2. Change of pay for Councilmember's
3. Update from Farr West in regards to Planning Grants.
4. Zoning Ordinance.
5. Sewer Issue at 609 Church Street.
6. Building and Planning Department.

CLOSING REMARKS

None

Meeting Adjourned

APPROVED: _____

Mayor Jackson

ATTEST: _____

Kathy LeBlanc, City Clerk

DRAFT

Acknowledgement of Approval, City of Loyalton

The City of Loyalton acknowledges approval of the below listed reconciled Plumas Bank Accounts

General Account (1956)	5/31/2021	(\$84,936.57)	Reconciled	6/08/2021
CDBG Account (0059)	5/20/2021	(\$14,165.52)	Reconciled	6/01/2021
F.D. Reserve (7243)	5/31/2021	(\$166,831.27)	Reconciled	6/03/2021
General Savings (0322)	5/20/2021	(\$29,422.52)	Reconciled	6/01/2021
Enterprise-W&S (0559)	5/31/2021	(\$361,960.99)	Reconciled	6/03/2021
WWTP Settle. (4387)	5/31/2021	(\$195,401.21)	Reconciled	6/09/2021
Cares Act (0998)	5/31/2021	(\$0.00)	Reconciled	6/03/2021
LAIF Account (496)	5/31/2021	(\$2,029,221.56)	Reconciled	6/01/2021
CalTrust (29130)	5/31/2021	(\$101,439.15)	Reconciled	6/01/2021

This authorization took place at the council meeting held on 06/15/21 and will be further reflected in the council minutes of this meeting.

Authorized Signature

Sarah Jackson, Mayor, Dated 06/15/21

8:50 AM

06/07/21

Cash Basis

City of Loyaltyon
Bills Paid
As of May 31, 2021

Type	Date	Num	Name	Memo	Paid Amount
Enterprise Loan MM 0559					
Transfer	05/07/2021			Funds Transfer	4,500.00
Transfer	05/07/2021			Funds Transfer	1,500.00
Transfer	05/14/2021			Funds Transfer	4,500.00
Transfer	05/14/2021			Funds Transfer	1,500.00
Transfer	05/21/2021			Funds Transfer	4,500.00
Transfer	05/21/2021			Funds Transfer	1,500.00
Transfer	05/28/2021			Funds Transfer	4,500.00
Transfer	05/28/2021			Funds Transfer	1,500.00
Check	05/31/2021			Service Charge	-2.00
Total Enterprise Loan MM 0559					23,998.00
General Funds					
General Checking 1956- NEW					
Transfer	05/07/2021			Funds Transfer	-4,500.00
Liability ...	05/14/2021		Employment Development D...	69817369	-91.20
Liability ...	05/14/2021		US Treasury-941	94-6000364	-1,138.44
Check	05/19/2021		Bank of America	5472064000010235	-1,734.56
Transfer	05/25/2021			Funds Transfer: Zogg Fi...	-37,914.54
Transfer	05/07/2021			Funds Transfer	-1,500.00
Transfer	05/14/2021			Funds Transfer	-4,500.00
Transfer	05/14/2021			Funds Transfer	-1,500.00
Transfer	05/21/2021			Funds Transfer	-4,500.00
Transfer	05/21/2021			Funds Transfer	-1,500.00
Transfer	05/28/2021			Funds Transfer	-4,500.00
Transfer	05/28/2021			Funds Transfer	-1,500.00
Check	05/01/2021	6900	Sarah Jackson	May City Council 2021	-49.50
Check	05/01/2021	6901	Jerry Gerow	May City Council 2021	-49.50
Check	05/01/2021	6902	Nancy Rogers	May City Council 2021	-49.50
Check	05/01/2021	6903	Darlene Riede	May City Council 2021	-49.50
Check	05/01/2021	6904	Joy Markum	May City Council 2021	-49.50

8:50 AM

06/07/21

Cash Basis

City of Loyalton
Bills Paid
As of May 31, 2021

Type	Date	Num	Name	Memo	Paid Amount
Check	05/01/2021	6905	Kathy LeBlanc	City Clerk May 2021	-150.00
Check	05/01/2021	6906	John Cussins Retiree	May 2021 Pension Pay	-1,171.52
Check	05/01/2021	6907	Patsy Jardin Retiree	May 2021 Pension Pay	-2,033.94
Check	05/01/2021	6908	Donald Yegge Retiree	May 2021 Pension Pay	-577.31
Check	05/01/2021	6909	Orville McGarity Retiree	May 2021 Pension Pay	-265.09
Bill Pmt -...	05/05/2021	6917	Amerigas*	201913977	-101.27
Bill Pmt -...	05/05/2021	6918	Gary Price		-1,300.00
Bill Pmt -...	05/05/2021	6919	Kelly Champion		-1,032.50
Bill Pmt -...	05/05/2021	6920	Plumas Sierra Rural Electric		-6,438.97
Bill Pmt -...	05/05/2021	6921	S.C.O.R.E.	Monthly Installment Liabi...	-1,146.32
Bill Pmt -...	05/05/2021	6922	Sierra Booster		-274.45
Bill Pmt -...	05/05/2021	6923	Silver State Analytical Labor...		-281.00
Bill Pmt -...	05/05/2021	6924	Western Nevada Supply		-278.91
Check	05/05/2021	6925	Nancy Rogers	34860	-131.31
Bill Pmt -...	05/05/2021	6926	Bastian Engineering	Reimbursement for payi...	-566.25
Bill Pmt -...	05/12/2021	6927	Farr West Engineering	Groundwater Gradient	-7,535.00
Bill Pmt -...	05/05/2021	6928	Plumas-Sierra Telecomm.	Floodplain Mitigation	-218.00
Bill Pmt -...	05/05/2021	6929	Porter Simon Professional S...	92132-13200M	-1,000.00
Bill Pmt -...	05/05/2021	6930	Sierra County Auditor	Police Contract for May ...	-1,250.00
Bill Pmt -...	05/05/2021	6931	Silver State Analytical Labor...	Effluent Weir Vault	-63.00
Bill Pmt -...	05/05/2021	6932	Xerox Corporation	951429299	-406.01
Bill Pmt -...	05/12/2021	6933	Paul Roen	Removal of Home Debr...	-2,000.00
Paycheck	05/14/2021	6934	Jordan, Keith S.		-1,674.56
Paycheck	05/14/2021	6935	LeBlanc, Katherine L		-612.49
Paycheck	05/14/2021	6936	Stockdale, Jamie		-1,149.61
Paycheck	05/14/2021	6937	Wall, Phillip G		-1,649.09
Check	05/12/2021	6938	Petty Cash (Jamie Stockdale)	Petty Cash	-58.00
Check	05/19/2021	6939	Sierra County Clerk-Recorder	VOID: Place Lean on 11...	0.00
Bill Pmt -...	05/19/2021	6940	AT&T CALNET 3		-101.42
Bill Pmt -...	05/19/2021	6941	California State Controller's ...	Annual Street Report 19...	-1,620.75
Bill Pmt -...	05/19/2021	6942	Farr West Engineering		-680.00
Bill Pmt -...	05/19/2021	6943	Intermountain Disposal, Inc.	Containers at 11 Zollinger	-157.84

8:50 AM

06/07/21

Cash Basis

City of Loyalton

Bills Paid

As of May 31, 2021

Type	Date	Num	Name	Memo	Paid Amount
Bill Pmt -...	05/19/2021	6944	Loyalton Volunteer Fire Asso...		-2,975.00
Bill Pmt -...	05/19/2021	6945	Pitney Bowes Supplies	Red Ink Ctg	-169.98
Bill Pmt -...	05/19/2021	6946	Sierra Booster	Letterheads	-499.79
Bill Pmt -...	05/19/2021	6947	Silver State Analytical Labor...	Recycled H2O From W...	-55.00
Bill Pmt -...	05/19/2021	6948	Softline Data	UBMax Yearly Support	-445.00
Bill Pmt -...	05/19/2021	6949	Western Nevada Supply	34860	-507.28
Bill Pmt -...	05/19/2021	6950	Thatcher Company	39500	-180.74
Bill Pmt -...	05/19/2021	6951	Intermountain Disposal, Inc.		-154.59
Bill Pmt -...	05/26/2021	6952	Clark Pest Control of Stockto...		-190.00
Bill Pmt -...	05/26/2021	6954	Silver State Analytical Labor...		-164.00
Bill Pmt -...	05/26/2021	6961	Telstar Instruments, Inc.	Tubing	-477.11
Paycheck	05/28/2021	6962	Jordan, Keith S.		-1,626.56
Paycheck	05/28/2021	6963	LeBlanc, Katherine L		-669.34
Paycheck	05/28/2021	6964	Stockdale, Jamie		-1,145.79
Paycheck	05/28/2021	6965	Wall, Phillip G		-1,573.09
Check	05/26/2021	6966	Jamie M Stockdale	Reimbursement - Mileag...	-127.65
Total General Checking 1956- NEW					-112,011.77

General Contingency Saving 0322

Total General Contingency Saving 0322

Total General Funds

-112,011.77

Designated Funds

WWTP Settlement MM 4321

Total WWTP Settlement MM 4321

WWTP Construction 1990

Total WWTP Construction 1990

Community Dev Block Grant 0059

8:50 AM
06/07/21
Cash Basis

City of Loyalton
Bills Paid
As of May 31, 2021

Type	Date	Num	Name	Memo	Paid Amount
			Total Community Dev Block Grant 0059		
			Total Designated Funds		
			TOTAL		-88,013.77

Acknowledgement of Approval, City of Loyalton

The City of Loyalton acknowledges approval of the below listed Transfer(s) of Funds.

Transfer From	Transfer To	Date	Amount
General Fund	Enterprise Loan MM 0559	07/02/2021	
	Water		1,500.00
	Sewer		4,500.00
General Fund	Enterprise Loan MM 0559	07/09/2021	
	Water		1,500.00
	Sewer		4,500.00
General Fund	Enterprise Loan MM 0559	07/16/2021	
	Water		1,500.00
	Sewer		4,500.00
General Fund	Enterprise Loan MM 0559	07/23/2021	
	Water		1,500.00
	Sewer		4,500.00
General Fund	Enterprise Loan MM 0559	07/30/2021	
	Water		1,500.00
	Sewer		4,500.00
THIS TOTAL			\$30,000.00

This authorization took place at the council meeting held on 6/15/2020 and will be further reflected in the council minutes of this meeting.

Authorized Signature Sarah Jackson, Vice Mayor, Dated 6/15/2020

General Fund

General Fund	July 1 2020 - May 31 2021	Budget 2020/2021
Ordinary Income/Expense		
Income		
Building Permits	2,089.00	\$ 4,000.00
Donations	586.00	
Property Taxes		
Supplemental		
Homeowners		
Clerk Fees	952.04	
Secured	66,537.92	
Unsecured	1,362.33	
Prior Year		
Total Property Taxes	68,852.29	\$ 45,000.00
Taxes & License Revenue		
ADA Fee	172.00	
Sales & Use	62,611.15	\$ 70,000.00
Franchise	7,347.21	\$ 7,700.00
License & Permits	4,960.00	\$ 4,500.00
Total Taxes & License Revenue	\$ 75,090.36	\$ 82,200.00
Charges for Current Services		
Cemetery Plots	150.00	
Copies & Faxes	528.00	
Rent Income		
Auditorium Rental		
Social Hall		
Rent Income - Other	15,461.00	\$ 10,800.00
Service Area Revenue		
Charges for Current Services - Other		
Total Charges for Current Services	16,139.00	\$ 10,800.00
Revenue Use of Money & Property		
Interest Income	23.92	\$ 14,400.00
Revolving Loan		\$ 2,000.00
Total Revenue Use of Money & Property	23.92	
Miscellaneous Revenue	1,223.56	
Miscellaneous Revenue - SCORE		\$ 5,000.00
Miscellaneous Other	1,282.20	
Total Income	\$ 165,964.33	\$ 163,400.00
Expense		
Late Fee /DSA 796 Fees	85.40	
Finance Charge	28.11	
Small Tools & Equipment		
Small Tools & Equipment - Other	307.36	\$ 200.00
Safety	59.98	\$ 500.00

General Fund

General Fund	July 1 2020 - May 31 2021	Budget 2020/2021
Total Small Tools & Equipment	367.34	
Repairs & Maintenance	3,938.13	\$ 2,400.00
Building Repairs	3,363.00	\$ 23,520.00
Utilities		
Other		
Security	216.00	\$ 200.00
Internet - Broadband	179.50	\$ 200.00
Propane	7,311.68	\$ 5,000.00
Electric	3,520.38	\$ 5,000.00
Electric for Discharge		
Garbage Disposal	930.32	\$ 760.00
Total Utilities	12,157.88	11,160.00
Equipment Repair & Maintenance	999.63	\$ 500.00
Taxes		
Solid Waste Benefit Assessment	4,816.04	\$ -
Taxes - Other		
Total Taxes	4,816.04	\$ -
Salaries and Wages		
Workers Comp.	974.87	\$ 1,500.00
Payroll Tax Expense	5,881.66	\$ 2,300.00
Payroll Expense		
Part Time Wages	17,105.56	\$ 17,840.00
Payroll Expense - Other	120.01	
Total Payroll Expense	17,225.57	17,840.00
Salaries and Wages - Other	21,249.72	\$ 12,670.00
Total Salaries and Wages	45,331.82	34,310.00
Employee Benefits		
Nationwide City		
Retirement	5,068.49	\$ 14,400.00
Health Insurance		
Total Employee Benefits	5,068.49	\$ 14,400.00
Services and Supplies		
Postage	165.03	\$ 200.00
Advertising	1,212.13	\$ 400.00
Automobile Expense		
Fuel	750.52	\$ 600.00
Automobile Expense - Other	554.84	\$ 60.00
Total Automobile Expense	1,305.36	\$ 660.00
Bank Service Charges	26.29	\$ 250.00
Chemicals		
Contracted Services		
Council Expense	4,015.92	\$ 4,770.00

General Fund

General Fund	July 1 2020 - May 31 2021	Budget 2020/2021
Health/Drug Screening		
Housing Element	49,785.00	
Professional Fees	1,327.90	\$ 2,000.00
Consulting		
Legal Fees	6,344.16	\$ 3,000.00
Auditing Expense	2,608.50	\$ 5,000.00
Accounting & Financial	2,446.31	\$ 7,000.00
Building Permits		\$ 1,000.00
Law Enforcement	12,500.00	\$ 15,000.00
Contracted Services - Other	3,171.50	
Total Contracted Services	82,199.29	\$ 37,770.00
Dues and Subscriptions	1,933.43	\$ 250.00
Insurance		
Liability Insurance	2,012.19	\$ 3,370.00
Travel for SCORE		\$ 375.00
Property Insurance		\$ 1,120.00
Insurance - Other	5,851.00	\$ 1,065.00
Total Insurance	7,863.19	
Licenses and Permits		
Miscellaneous	4,624.73	
Meals		
Total Miscellaneous	4,624.73	
Office Expense	2,336.44	\$ 6,000.00
Operating Supplies	1,493.19	\$ 500.00
Telephone	347.02	\$ 670.00
Training		
Travel		
Services and Supplies - Other	384.67	
Total Services and Supplies	99,266.04	\$ 7,170.00
Total Expense	175,421.88	\$ 255,760.00
Other Expense		
Transfers Out		\$ 13,780.00
Prior Period Adjustment		
Capital Outlay		
Parks & Rec Grant Match		\$ 30,000.00
Construction Costs		
Total Construction Costs		
Total Other Expense		\$ 43,780.00
Total Expenses	\$ 175,421.88	\$ 299,540.00
Net Income	\$ (9,457.55)	\$ (136,140.00)

DRAFT

WATER

WATER	July 1 2020 - May 31 2021	Budget 2020/2021
Ordinary Income/Expense		
Enterprise Income		
Water Service Income		
Connect/Disconnect Fee		
Late Fees Water		
Uncollectible		
Water Service Income - Other	260,039.32	245,000.00
Total Water Service Income	260,039.32	245,000.00
Revenue Use of Money & Property		
Interest Income	1,500.00	15,300.00
Interest Income - Other	206.75	
Revolving Loan		
Total Revenue Use of Money & Property	1,706.75	15,300.00
Total Income	261,746.07	260,300.00
Expense		
Late Fee		
Finance Charge		
Small Tools & Equipment		
Small Tools & Equipment - Other	70.45	300.00
Safety	81.20	200.00
Total Small Tools & Equipment	151.65	500.00
Repairs & Maintenance	1,861.90	2000
Building Repairs		
Utilities		
Other		
Security	72.00	75.00
Internet - Broadband	534.10	540.00
Propane	825.52	400.00
Electric	65,105.55	65,500.00
Electric for Discharge		
Garbage Disposal	86.23	82.00
Total Utilities	66,623.40	66,597.00
Equipment Repair & Maintenance	271.56	6,100.00
Taxes		
Solid Waste Benefit Assessment	191.46	250.00
Taxes - Other		
Total Taxes	191.46	250.00
Salaries and Wages		
Workers Comp.	7,798.95	8,300.00
Payroll Tax Expense	3,111.35	4,500.00

WATER

	July 1 2020 - May 31 2021	Budget 2020/2021
WATER		
Payroll Expense	18.00	
Part Time Wages	15,923.77	25,000.00
Payroll Expense - Other		300.00
Total Payroll Expense	26,852.07	25,300.00
Salaries and Wages - Other	19,062.55	28,000.00
Total Salaries and Wages	45,914.62	66,100.00
Employee Benefits		
Nationwide City		
Retirement	17,214.52	15,300.00
Health Insurance	1,273.99	
Total Employee Benefits	18,488.51	15,300.00
Services and Supplies		
Postage	910.83	1,200.00
Advertising	309.39	
Automobile Expense		
Fuel	694.90	1,100.00
Automobile Expense - Other	513.73	200.00
Total Automobile Expense	1,208.63	1,300.00
Bank Service Charges	196.63	50.00
Chemicals	1,767.00	2,200.00
Contracted Services		
Annual Street Report		
Health/Drug Screening		33.00
Professional Fees	340.00	1,000.00
Consulting/accounting&financial	1,382.50	4,300.00
Legal Fees	206.67	1,000.00
Auditing Expense	5,127.00	5,200.00
Testing	4,209.00	5,500.00
Contracted Services - Other	964.00	4,050.00
Total Contracted Services	12,229.17	21,083.00
Dues and Subscriptions	1,712.41	1,400.00
Insurance		
Liability Insurance	5,350.83	11,000.00
Travel for SCORE		
Property Insurance		5,000.00
Insurance - Other	56.00	720.00
Total Insurance	5,406.83	16,720.00
Licenses and Permits	3,502.00	4,000.00
Miscellaneous	83.33	
Meals		

WATER

WATER	July 1 2020 - May 31 2021	Budget 2020/2021
Total Miscellaneous	83.33	-
Office Expense	1,635.67	1,000.00
Operating Supplies	1,870.30	1,500.00
Telephone	956.78	1,000.00
Training		
Travel		
Services and Supplies - Other	47.42	
Total Services and Supplies	31,836.39	51,453.00
Total Expense	165,339.49	208,300.00
Other Expense		
Transfers Out		
Debt Service - principal	20,600.00	
Interest Expense		
Interest 91-05 Water	20,867.50	
Total Interest Expense		
Total Debt Service	41,467.50	42,000.00
Total Other Expense		
Total Expenses	206,806.99	250,300.00
Deferred Maintenance		10,000.00
Net Income	\$ (110,400.41)	\$ -

SEWER

Sewer	July 1 2020 - May 31 2021	Budget 2020/2021
Ordinary Income/Expense		
Income		
Transfer In from 4387 Settlement Reserve		\$ 30,000.00
Enterprise Income		
Sewer Service Income		
Late Fees Sewer		
Uncollectible		
Sewer Service Income - Other	338,934.50	350,000.00
Total Sewer Service Income	338,934.50	350,000.00
Revenue Use of Money & Property		
Interest Income	10,393.73	15,300.00
Dividend Income - CalTrusst	1010.11	
Revolving Loan		
Total Revenue Use of Money & Property	11,403.84	15,300.00
Total Income	350,338.34	395,300.00
Expense		
Late Fee		
Finance Charge		
Small Tools & Equipment		
Safety	81.20	
Small Tools & Equipment - Other	47.49	1,000.00
Total Small Tools & Equipment	128.69	1,000.00
Repairs & Maintenance	1,418.19	8,000.00
Building Repairs		
Utilities		
Other – generator fuel		
Security	72.00	75.00
Internet - Broadband	534.10	540.00
Propane	3,168.86	2,200.00
Electric	31,759.16	36,000.00
Electric for Discharge		
Garbage Disposal	527.89	650.00
Total Utilities	36,062.01	39,465.00
Equipment Repair & Maintenance	6,063.63	8,000.00
Taxes		
Solid Waste Benefit Assessment	861.96	840.00
Taxes - Other		
Total Taxes	861.96	840.00
Salaries and Wages		
Workers Comp.	7,798.95	8,200.00
Payroll Tax Expense	5,231.10	6,800.00
Payroll Expense	17.99	

SEWER

Sewer	July 1 2020 - May 31 2021	Budget 2020/2021
Part Time Wages	16,290.66	25,000.00
Payroll Expense - Temp		
Total Payroll Expense	29,338.70	25,000.00
Salaries and Wages - Other	41,953.65	50,000.00
Total Salaries and Wages	71,292.35	90,000.00
Employee Benefits		
Nationwide City		
Retirement	17,214.43	15,300.00
Health Insurance	1,274.00	3,400.00
Total Employee Benefits	18,488.43	18,700.00
Services and Supplies		
Postage	910.81	1,200.00
Advertising	309.36	
Automobile Expense		
Fuel	2,491.86	1,200.00
Automobile Expense - Other	749.84	500.00
Total Automobile Expense	3,241.70	1,700.00
Bank Service Charges	339.26	50.00
Chemicals	1,790.71	2,000.00
Contracted Services		
FEMA		
Annual Street Report		
Health/Drug Screening		30.00
Professional Fees	340.00	2,100.00
Consulting/accounting&Financial	1,417.50	4,500.00
Legal Fees	386.67	2,000.00
Auditing Expense	5,127.00	5,200.00
Testing	6,271.00	5,000.00
Contracted Services - Other	5,271.75	4,050.00
Total Contracted Services	18,813.92	22,880.00
Dues and Subscriptions	803.22	200.00
Equipment Rent		
Insurance		
Liability Insurance	5,350.83	8,000.00
Travel for SCORE		
Property Insurance		5,000.00
Insurance - Other	56.00	
Total Insurance	5,406.83	13,000.00
Licenses and Permits	20,932.12	19,265.00
Miscellaneous	83.34	
Meals		
Total Miscellaneous	83.34	-

SEWER

Sewer	July 1 2020 - May 31 2021	Budget 2020/2021
Office Expense	1,724.77	1,000.00
Operating Supplies	4,135.44	3,500.00
Telephone	1,322.67	1,500.00
Training		
Travel		200.00
Services and Supplies - Other	25.35	
Total Services and Supplies	59,839.50	6,200.00
Total Expense	194,154.76	232,500.00
Other Expense		
Transfers Out		
Debt Service - principal	165,204.38	
Interest Expense		
Interest 92-01 Sewer	16,621.59	
Interest 92-03 Sewer	2,495.04	
Interest 92-07 Sewer	37,775.00	
Total Interest Expense	56,891.63	
Total Debt Service	222,096.01	190,000.00
Total Other Expense		
Total Expenses	416,250.77	422,500.00
Capital Outlay- Construction Repairs		30,000.00
Net Income	\$ (65,912.43)	\$ (57,200.00)
USDA 92-01		53,150.00
USDA 92-03		\$7,495.00
USDA 92-07		\$99,999.99
DRAFT		

Streets Highways

Streets	July 1 2020 - May 31 2021	Budget 2020/2021
Ordinary Income/Expense		
Income		
Transfer In From General	3,780.00	3,780.00
Property Taxes		
Admin Fee		2,400.00
Interest Income	7.93	
Intergovernmental - State		
Road Maintenance & Rehab	11,793.63	13,800.00
VLF Swap	572.87	28,800.00
Motor Vehicle		
Traffic Congestion Relief		860.00
Highway Users Tax		
2103 (Gas Tax)	4,426.79	5,300.00
2105	3,297.13	3,900.00
2106	5,045.92	6,000.00
2107	5,252.06	5,400.00
2107.5	1,000.00	1,000.00
Total Highway Users Tax	19,021.90	21,600.00
Total Intergovernmental - State	31,388.40	65,060.00
Total Income	35,176.33	71,240.00
Expense		
Late Fee		
Finance Charge		
Small Tools & Equipment	41.39	
Small Tools & Equipment - Other		
Safety		
Total Small Tools & Equipment	41.39	0.00
Repairs & Maintenance	1,351.50	4,600.00
Building Repairs		
Utilities		
Other		
Security		
Internet - Broadband	59.95	
Propane	396.57	
Electric	23,422.09	44,000.00
Electric for Discharge		
Garbage Disposal		
Total Utilities	23,878.61	44,000.00
Equipment Repair & Maintenance	2,187.75	3,500.00
Taxes		
Solid Waste Benefit Assessment	91.60	
Taxes - Other		
Total Taxes	91.60	
Salaries and Wages		
Workers Comp.	974.85	1,200.00
Payroll Tax Expense	679.85	720.00
Payroll Expense		
Part Time Wages	42.00	
Payroll Expense - Other		8,100.00
Total Payroll Expense	42.00	8,100.00
Salaries and Wages - Other	6,813.24	
Total Salaries and Wages	8,509.94	10,020.00
Employee Benefits		
Nationwide City		

Streets Highways

Streets	July 1 2020 - May 31 2021	Budget 2020/2021
Retirement		
Health Insurance		
Total Employee Benefits	0.00	
Services and Supplies		
Postage		
Advertising		
Automobile Expense		
Fuel	690.40	1,300.00
Automobile Expense - Other	41.12	
Total Automobile Expense	731.52	1,300.00
Bank Service Charges		
Chemicals		
Contracted Services		
Annual Street Report		1,500.00
Health/Drug Screening		
Professional Fees		
Consulting/Accounting&Financial	89.25	
Legal Fees		
Auditing Expense	3,919.25	1,300.00
Testing		
Contracted Services - Other		
Total Contracted Services	4,008.50	2,800.00
Dues and Subscriptions	51.70	
Insurance		
Liability Insurance	1,012.73	3,300.00
Travel for SCORE		
Property Insurance		1,200.00
Insurance - Other	14.00	
Total Insurance	1,026.73	4,500.00
Licenses and Permits		
Miscellaneous		
Meals		
Total Miscellaneous	0.00	
Office Expense	65.80	80.00
Operating Supplies	210.91	400.00
Telephone	28.54	40.00
Training		
Travel		
Services and Supplies - Other	25.00	
Total Services and Supplies	6,148.70	9,120.00
Total Expense	42,209.49	71,240.00
Other Expense		
Transfers Out		
Capital Outlay		
Construction Costs		
Total Capital Outlay		
Total Other Expense		
Net Income	-\$7,033.16	

DRAFT

FIRE Dept

FIRE DEPT	July 1 2020 - May 31 2021	Budget 2020/2021
Ordinary Income/Expense		
Income		
Transfer In From General	10,000.00	10,000.00
Service Area Revenue	20,813.64	45,000.00
Charges for Current Services - Other	622.82	
Total Charges for Current Services	21,436.46	45,000.00
Revenue Use of Money & Property		
Interest Income	60.57	-
Revolving Loan		-
Total Revenue Use of Money & Property	60.57	-
Miscellaneous Revenue - SCORE	-	-
Fire Fighting Revenue		
Fire Fighting Revenue - Admin	22,284.30	
Fire Fighting Revenue - Engine	120,110.50	
Fire Fighting Revenue - Personnel	137,509.03	
Total Income	311,400.86	55,000.00
Expense		
Late Fee	19.00	-
Finance Charge	1.00	-
Fire Fighting Expenses		
Fire Fighting Wages	138,362.48	
Fire Fighting Expense - Other	1,945.29	
Total Fire Fighting Expense	140,307.77	
Small Tools & Equipment		
Safety	4,913.86	4,400.00
Small Tools & Equipment - Other	4,963.15	5,200.00
Total Small Tools & Equipment	9,877.01	9,600.00
Repairs & Maintenance	3,570.48	2,000.00
Building Repairs	241.25	-
Utilities		
Other		
Security		
Internet - Broadband	816.10	
Propane	1,314.55	1,200.00
Electric	3,916.30	4,400.00
Electric for Discharge		
Garbage Disposal	308.50	440.00
Total Utilities	6,355.45	6,040.00
Equipment Repair & Maintenance	6,357.47	2,000.00
Taxes		
Solid Waste Benefit Assessment	1,394.12	1,400.00
Taxes - Other		
Total Taxes	1,394.12	1,400.00
Salaries and Wages		
Workers Comp.	1,949.74	2,000.00
Payroll Tax Expense	39.86	-
Payroll Expense		-
Part Time Wages	354.90	-
Payroll Expense - Other		-
Fire Fighting Wages		-
Total Payroll Expense	2,344.50	2,000.00
Salaries and Wages - Other		
Total Salaries and Wages	2,344.50	2,000.00
Employee Benefits		

FIRE Dept

FIRE DEPT	July 1 2020 - May 31 2021	Budget 2020/2021
Nationwide City		
Retirement		
Health Insurance		
Total Employee Benefits	-	-
Services and Supplies		
Postage	25.34	-
Advertising	159.15	-
Automobile Expense		
Fuel	3,473.03	1,800.00
Automobile Expense - Other	243.64	-
Total Automobile Expense	3,716.67	1,800.00
Bank Service Charges	55.00	30.00
Equipment Rent		170.00
Chemicals		-
Contracted Services		
Annual Street Report		-
Health/Drug Screening		-
Professional Fees		-
Consulting	630.00	-
Legal Fees	540.00	420.00
Auditing Expense	1,549.00	-
Testing	1,274.00	-
Contracted Services - Other	2,376.00	-
Total Contracted Services	6,369.00	420.00
Dues and Subscriptions	280.00	
Insurance		
Liability Insurance	649.92	110.00
Travel for SCORE		-
Property Insurance		640.00
Insurance - Other		-
Total Insurance	649.92	750.00
Licenses and Permits		
Miscellaneous	172.73	
Meals	671.89	-
Total Miscellaneous	844.62	-
Office Expense	249.93	100.00
Operating Supplies	4,590.80	754.00
Telephone	582.59	700.00
Training	3,227.00	
Travel	1,088.77	
Services and Supplies - Other	254.65	
Total Services and Supplies	22,093.44	4,724.00
Total Expense	192,561.49	27,764.00
Capital Outlay - Truck Payment		15,536.00
Total Expense and Capital Outlay	192,561.49	43,300.00
Net Income	\$ 118,839.37	11700
Community Leasing		\$15,536.20
DRAFT		

CITY OF LOYALTON

CITY COUNCIL STAFF REPORT

MEETING OF: June 15, 2021

Subject: Housing Element/Zoning Code Update ZOA
2021-01

From: Kathy LeBlanc, City Clerk
Gary Price, Contract Planner



Recommended Action: Hold second reading of Ordinance No. 423, read it by title only, and adopt ordinance 423. Second Reading of Amendment to City of Loyalton Municipal Code

BACKGROUND: The Council conducted a public hearing and introduced and waived the first reading Ordinance No. 423, Update to the Zoning Code. Attached is the final version of the Zoning Code document (all track changes accepted) for final adoption.

LEGAL REVIEW: The City Attorney reviewed the proposed ordinance amendments and has indicated that they are legally correct.

ALTERNATIVES: The City Council should waive the second reading of the ordinance and adopt it. If minor changes need to be made, they can do so with this final adoption.

QUESTIONS/COMMENTS: Please feel welcome to contact the City's planning consultant, Gary Price, at (530) 218-1059 or gary@plannerprice.com with any questions regarding the draft document before the meeting. It is always good to provide staff the opportunity to address questions before the meeting to allow time to research answers and possibly present them for the understanding of the entire council at the meeting.

ATTACHMENT:
Ordinance No. 423

LOYALTON CITY COUNCIL
COUNTY OF SIERRA
STATE OF CALIFORNIA

RESOLUTION NO. 2-2021

RESOLUTION ADOPTING A LIST OF PROJECTS FOR FISCAL YEAR 2021-2022 FUNDED BY SB 1: THE ROAD REPAIR AND ACCOUNTABILITY ACT OF 2017

WHEREAS, Senate Bill 1 (SB 1), the Road Repair and Accountability Act of 2017 (Chapter 5, Statutes of 2017) was passed by the Legislature and Signed into law by the Governor in April 2017 in order to address the significant multi-modal transportation funding shortfalls statewide; and

WHEREAS, SB 1 includes accountability and transparency provisions that will ensure the residents of The City of Loyalton are aware of the projects proposed for funding in our community and which projects have been completed each fiscal year; and

WHEREAS, the City of Loyalton must adopt by resolution a list of all projects proposals to receive funding from the Road Maintenance and Rehabilitation Account (RMRA), created by SB 1, which must include a description and the location of each proposed project, a proposed schedule for the project's completion, and the estimated useful life of the improvement; and

WHEREAS, the City of Loyalton will receive and estimated \$ 15,030 in RMRA funding in Fiscal Year 2021-2022 from SB 1; and

WHEREAS, this is the fourth year in which the City of Loyalton is receiving funding and will enable the City of Loyalton to continue essential road and maintenance and rehabilitation projects, safety improvements, and increasing access and mobility options for the traveling public that would not have otherwise been possible without SB 1: and

WHEREAS, the City of Loyalton has undergone a robust public process to ensure public input into our community's transportation priorities/the project list; and

WHEREAS, the City of Loyalton used a Pavement Management System to develop the SB 1 project list to ensure revenues are being used on the most high-priority and cost-effective projects that also meet the communities priorities for transportation investment; and

WHEREAS, the funding from SB 1 will help the City of Loyalton maintain and rehabilitate streets/roads, add active transportation infrastructure throughout the City of Loyalton this year and hundreds of similar projects into the future; and

WHEREAS, the 2018 California Statewide Local Streets and Roads Needs Assessment found that the City of Loyalton streets and roads are in an “at risk/poor condition and this revenue will help us increase the overall quality of our road system and over the next decade will bring our streets and roads into a “better“condition; and

WHEREAS, without revenue from SB 1, the City of Loyalton, would have otherwise been canceling projects throughout the community and/or laying off city staff; and

WHEREAS, if the Legislature and Governor failed to act, city streets and county roads would have continued to deteriorate, having many and varied negative impacts on our community; and

WHEREAS, modernizing the local street and road system provides well-paying construction jobs and boosts local economies; and

WHEREAS, police, fire, and emergency medical services all need safe reliable roads to react quickly to emergency calls and a few minutes of delay can be a matter of life and death; and

WHEREAS, maintaining and preserving the local street and road system in good condition will improve bicycle safety, and make the pedestrian experience safer and more appealing and

WHEREAS, restoring roads before they fail also reduces construction time which results in less air pollution from heavy equipment and less water pollution from site run-off; and

WHEREAS, the SB 1 project list and overall investment in our local streets and roads infrastructure with a focus on basic maintenance and safety, investing in complete streets infrastructure, and using cutting-edge technology, materials and practices, will have significant positive co-benefits statewide.

NOW, THEREFORE IT IS HEREBY RESOLVED, ORDERED AND FOUND by the Loyalton City Council, County of Sierra, State of California, as follows:

1. The foregoing recitals are true and correct.
2. “The following previously proposed and adopted projects may utilize fiscal year 2020-2021 Road Maintenance and Rehabilitation Account revenues in their delivery. With the relisting of these projects in the adopted fiscal year resolution, the City of Loyalton is reaffirming to the public and the State our intent to fund these projects with Road Maintenance and Rehabilitation Account revenues:”

Project Description	Project Location	Est. Useful Life	Est. Complet Schedule
Preparation and plans and specification to repair curbs and roadway damaged in the flood of 2017	Railroad Ave and Lewis Ave	3-5 years	8/2021 - 8/2022
Chip Seal and Slurry on all city streets, New Stop Signs, Fix pothole on city streets	<p>Street Boundaries Include: Poole Ln, Beckwith Rd, White St, Jones St, Zollinger St, Meeker St, 1st St, 2nd St, 3rd St, 4th St, E 2nd St, W 3rd St, N 5th St, Church St, Court Ln, Pine St, Railroad Ave, School St, Front St, E Lewis St, Mill St, Taylor Ave, Granite Ave, Patterson Ave, Cemetery Rd, Hill St.</p> <p>All locations have yet to be finalized and are subject to change. Each location will be selected based on priority need and resources throughout the year.</p>	5-10 years	8/2021 - 8/2022

PASSED AND ADOPTED by the City Council of the City of Loyalton, County of Sierra, State of California this 15th day of June, 2021 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

CITY OF LOYALTON

ATTEST:

Sarah Jackson, MAYOR

Kathy LeBlanc, City Clerk

IN THE MATTER OF)
MONTHLY COMPENSATION)
FOR MEMBERS OF THE CITY COUNCIL)

The CITY COUNCIL OF THE CITY OF LOYALTON DOES ORDAIN as follows:

Section Three: City Code, Ordinance #391, Monthly Compensation for Members of the Loyalton City Council is amended as follows:

(1) Each City Council member shall receive compensation of \$150.00 per month while a member of the City Council.

Adopted by the City Council of the City of Loyalton on the 15th day of June, 2021, by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

MAYOR

ATTEST:

CITY CLERK

13.04.320	Taking Up Stray Animals
13.04.330	Animals Subject to Impoundment
13.04.340	Impoundment of Livestock
13.04.350	Period of Impoundment
13.04.360	Redemption
13.04.370	Disposition of Impounded Animals
13.04.380	Impound Fees
13.04.390	Quarantine
13.04.400	Delivery of Carcass
13.04.410	Vaccination
13.04.420	Licenses
13.04.430	Renewal Notices
13.04.440	Kenneled Dogs
13.04.450	Kennel Licenses
13.04.460	Damage to Property
13.04.470	Dead Animal
13.04.480	Unlawful Disposal Prohibited
13.04.490	Exceptions
13.04.500	Cost of Removal
13.04.510	Responsibility of Livestock Owner
13.04.520	Status of Violations
13.04.530	Penalty for Violations
13.04.540	Severability
13.04.550	Damages

CHAPTER 13.04 ANIMALS

13.04.010 Animal Control

“Animal Control” means that section of the ~~County-City of Loyalton~~ government which is specifically charged with the regulation of, and the enforcement of law dealing with animals existing within the ~~unincorporated territories of the County, known as the “City”-City of Loyalton, and incorporated areas thereof~~ which may, from time to time, contract with the County for such services.

13.04.020 Animal Control Center

“Animal Control Center” means the facilities provided by the ~~County-City~~ for impounding of animals, either directly or on contract.

13.04.030 At Large

“At large” means an animal off the premises of its owner and not under restraint by leash, or not under the control and in the immediate presence of the owner. “At Large,” as applied to dogs, shall also mean any dog on any road or street, whether publicly or privately maintained, and not

under restraint by leash, and not under the control and in the immediate presence of the owner. A privately maintained road or street shall not include any such road or street service two or less residences or businesses. For animals other than dogs, it shall also mean any unattended animals not confined by adequate fence or retrained by a tether. An adequate fence is any fence which is good, strong, substantial, and sufficient to prevent the ingress and egress of the unattended animals. No wire fence is a good and substantial fence withing the meaning of this ~~artiele~~ ~~Chapter~~ unless is has a minimum of four tightly stretched barbed wires securely fastened to posts of a reasonable strength, firmly set in the ground not more than one rod apart, one of which wires shall be at least four feet above the surface of the ground. Any kind of wire or other fence of height, strength and capacity equal to or greater than the wire fence herein described is a good and substantial fence within the meaning of this ~~artiele~~ ~~Chapter~~. Further, any fence which is intended to restrict the ingress or egress of any particular animal which has the capacity to over, under, or through any fence in questions, is not a good and substantial fence unless its design and capacity is sufficient to prevent ingress and egress by the particular animal or animals in question.

13.04.040 Chief of Animal Control

“Chief of Animal Control” means the person designated by the ~~County Director of Health~~ to serve such capacity.

Comment [1]: Do we want this to be someone in the City?

13.04.050 Animal

“Animal” means dogs or any domesticated animal of the canine family, as well as horses, donkeys, mules, burros, cattle, sheep, goats, swine, rabbits and fowl, commonly kept or raised in ~~Sierra~~ ~~the City or~~ County as farm animals or beasts of burden.

13.04.060 City

~~“City” means, unless otherwise specified, the incorporated City of Loyalton.~~

13.04.0605 County versus City

“County” means, unless otherwise specified, the County of Sierra. ~~“City” means, unless otherwise specified, the incorporated City of Loyalton.~~

13.04.070 Health Department

“Health Department” means the Health Department of the County.

13.04.080 Health Officer

“Health Officer” means the Health Officer of the County and any Health Department employee of other person duly authorized the Health Officer to act on his/her behalf.

13.04.090 Impoundment

“Impoundment” means the taking up and confining of an animal under the authority of the Chief of Animal Control in a manner consistent with recognized standards of humane treatment.

13.04.110 Kennel

“Kennel” means any enclosure, premises, building, structure, lot or area in or on which five (5) or more dogs of at least four (4) months of age are kept, harbored or maintained, for commercial or noncommercial purposes.

13.04.110 Owner

“Owner” means a person who possesses, has title to or an interest in, harbors, or has control, custody or possession of an animal. The verb form of “to own” includes all these shades of meaning.

13.04.120 Person

“Person” means fictional entities such as corporations, estates, associations, partnerships and trusts, as well as one of more individual human beings.

13.04.130 Vaccination

“Vaccination” means the inoculation of a dog or other animal with a vaccine approved by and in the manner prescribed by the State Department of Public Health.

13.04.140 Veterinarian

“Veterinarian” means a person licensed by the State of California to practice veterinary medicine.

13.04.150 Common Name

This eChapter shall be known ~~as, and~~ and may be cited and referred to as the “Animal Control Law.”

13.04.160 Jurisdiction

Animal Control shall be under the direction and supervision of the Director of Health.

13.04.170 Absence of Liability

No liability shall be incurred for the disposition of any animal made pursuant to the provisions of this eOrdinance.

13.04.180 Responsibility

Comment [2]: Do we want this to be someone in the City?
If so, make global change

The Director of Health shall be responsible for administrating this Chapter and shall have the authority to appoint a Chief of Animal Control. If no such appointment is made, the Director of Health shall be the Chief of Animal Control. The Chief of Animal Control is responsible for:

- a. The enforcement of this law, and
- b. All laws of the State of California pertain to the control of dogs,
- c. His/her duties shall include, but not be limited to the administration of any contract or contracts providing the following services or to administer the following services directly:
 1. To administer the Animal Control Center and keep such records as may be required by the County Board of Supervisors or City of Loyalton City Council Members.
 2. To take up and impound animals which are in violation of this eChapter.
 3. To remove and dispose of the carcass of any animal found on any public highway, street, alley and other public place.
 4. To quarantine animals and to cooperate with the County Health Officer.
 5. To administer licensing programs as provided for herein.
 6. To administer rabies clinics.

13.04.190 Dogs Killing Livestock

The Chief of Animal Control, the Sheriff, or any Deputy Sheriff, or any of their designees, may kill or authorize the killing of any dog found in the act of killing, wounding, or persistently pursuing or worrying livestock or poultry on land or premises which are not owned or possessed by the owner of the dog.

13.04.200 Rules and Regulations

The Chief of Animal Control may formulate the rules and regulations in conformity with, and for the purposes of carrying out the intent of this chapter and compliance with such rules and regulations shall be prerequisite to the issuance and continued validity of any license or permit provided.

13.04.210 Authority to Carry Firearms

The Chief of Animal Control and such animal control officers as he/she may specifically designate in writinge are authorized to carry firearms when acting in the course and scope of their employment pursuant to Section 12031 of the Penal Code of the State of California.

13.04.220 Arrest Without Warrant: Citation Procedure

a. Any public officer or employee charged with the responsibility for enforcement of the provisions of this eChapter may arrest a person with our without a warrant whenever he/she has reasonable cause to believe that the person to be arrested has committed a misdemeanor in his/her presence which is in violation of this eChapter.

b. In any case in which a person arrested, pursuant to Subsection above, does not demand to be taken before a Magistrate, such public officer or employee making the arrest shall prepare a written Notice to Appear and release the person on his promise to appear, as prescribed by Chapter 5C (commencing with Section 853.6) of the Penal Code. The provision of such Chapter shall thereafter apply with reference to any proceeding based upon the issuance of a written notice to Appear pursuant to this authority.

13.04.230 Authority to Use Tranquilizers

In performance of his duties the Chief of Animal Control shall have the authority to employ the use of the tranquilizer gun and all animal control devices in common use within the State.

13.04.240 Authority to Enter Property

The Chief of Animal Control may, in the performance of his/her duties, enter upon any property pursuant to law to ascertain if any of the provision of this Ordinance are being violated.

13.04.250 Authority to Pursue

In the performance of his/her duties, the Chief of Animal Control shall have the authority, when in the pursuit of an animal which in in violation of a provision of this Chapter, to go on the property of the owner or that of a third person for the purpose of impounding the animal, provided that in the course of such pursuit he/she shall exercise reasonable care to avoid causing damage to the property.

13.04.260 Summary Action

Notwithstanding any other provision of this chapter, if, in the judgement of the Chief of Animal Control, with the concurrence of the Director of Health, an animal found to be at large is unfit, and no further use, dangerous, injured, or ill, or should be destroyed, the Chief of Animal Control may, at any time, in a humane manner, destroy such animal.

13.04.270 Violations

It shall be unlawful for the owner of any animal to violate any of the provision of this Chapter herein before or hereinafter, or to commit any of the following acts, to wit:

- a. To allow any animal to run at large.
- b. To allow any animal to trespass upon public property or upon any private property without the consent of the owner of the property.
- c. If unauthorized, to remove from any dog any collar or harness or other devise to which a license tag is attached, for the current year, or to remove such license tag therefrom.
- d. To attach to, or keep upon, or cause to permit to be attached to or kept upon any dog any license tag provided by this Chapter, except a tag issued for such dog under the provision of this Chapter, or to attach to or keep upon, or cause or permit to be attached to or kept upon any dog, or to make or to cause or permit to be made, or to

have in possession, any counterfeit or imitation of any tag provided for by this Chapter.

- e. To possess any unlicensed dog in the ~~City County~~, or to maintain, conduct or operate, or to cause to or permit to be maintained or operated in the ~~City County~~, any unlicensed dog kennel.
- f. To interfere with, oppose or resist the Chief of Animal Control while he is engaged in the performance of any act authorized by this Chapter.
- g. To allow any female dog to run at large while in heat or breeding condition or to allow such female to remain accessible to other dogs running at large while said female is in heat or breeding condition.
- h. To permit any dog to trespass on any farm where livestock or domestic fowl are kept.
- i. To abandon any animal in Sierra County ~~including the City of Loyalton~~.
- j. To possess any dog over four (4) months of age which does not have a current vaccination for rabies as evidenced by an official certificate thereof, except as otherwise provided in this Ordinance.
- k. To allow any animal to go without adequate food, water, shelter, or proper care.
- l. To allow any dog known to be dangerous or vicious to run at large upon any street or other public place within the ~~County City~~.
- m. To own or possess any "Pit Bull" or "fighting dog" which is not confined within adequate fenced area or other physical enclosure to prevent egress by such animal at all times such animal is not in the direct ~~pr4esence~~ ~~presence~~ and control of the owner.

13.04.280 Animals Causing Property Damage

If any person has any loss or damage to property, livestock or poultry, which is caused by animals, the person may file a complaint in writing with the Chief of Animal Control. Such complaint shall state when and where the damage occurred, how much damage was done, and, if known, the name of the person who owns the animal(s) or the custodian in charge. The Chief of Animal Control shall investigate the complaint and if he/she finds such conditions exist, he/she may issue an order to confirm requiring said owner or custodian to abate such conditions within a reasonable length of time. Failure of the owner or custodian to abate such condition shall constitute the maintenance of a Public Nuisance.

13.04.290 Nuisance Dogs

- a) It shall be unlawful for any person to own, possess, harbor, control, or keep on any premises any dog that barks or howls so continuously or incessantly as to unreasonably disturb the peace and tranquility of the neighborhood. However, the provision of this section shall not apply to any commercial dog kennel permitted by zoning law where located. The Animal Control Department is responsible for enforcement of the provisions of this section.
- b) For purposes of this section, evidence that the dog has barked or howled for an aggregate period of twenty (20) minutes out of one hour shall be sufficient for conviction, provided, however, that any barking or howling provided by a loose running dog or other animal, or nearby pedestrians shall not be included in such aggregate time. Provocation

in the forms listed herein must occur within 100 feet of the barking or howling dog to be sufficient.

- c) For the purposes of this section, evidence that two or more dogs are provoking each other to bark, shall be sufficient for conviction under this section, so long as the barking continues for an aggregate twenty (20) minutes out of one hour, regardless of which dog commenced the barking. In such instance, owners of each dog involved shall be subject to citation. Proof that any individual dog barked for an aggregate twenty (20) minutes out of an hour shall not be required if it is shown that the barking of two or more of dogs was continuous sequentially or in concert for a twenty (20) minute period.
- d) Upon receipt of any complaint based on continuous or incessant barking or howling, an Animal Control Officer shall investigate and take a report from any complaining witness.
- e) Upon evaluation of the report, if in the opinion of the animal control officer a valid complaint exists, the officer shall contact the owner of the animal complained about and advise the owner of the existence of the ~~complaint, and complaint and~~ and instruct the owner to abate the nuisance.
- f) If the Animal Control Officer is unable to contact the owner personally, he/she shall leave posted on the premises in a conspicuous location a notice to contact Animal Control within five (5) days regarding the complaint.
- g) If a second complaint is received within a six (6) month period after the giving of such notice and warning regarding a dog barking or howling incessantly and continuously, whether or not the owner has responded to Animal Control as set forth in (f) above, the animal control officer shall investigate the second complaint and take a report from any complaining witness.
- h) Upon evaluation of the report, if in the opinion of the animal control officer the dog is creating a nuisance by barking or howling incessantly or continuously, the animal control officer shall issue a citation to the owner of said animal for a violation of this section. Unless the violation is a third repeat offense as defined in Section 13.04.290 (j) below, such violation shall be an infraction. Personal appearance before the court shall be mandatory. ~~Forfeiture~~ Forfeiture of bail shall not constitute a resolution of a violation of this section.
- i) If the animal control officer receives a third complaint regarding the same animal within one year from the first complaint, he shall repeat the process set forth in (g) and (h).
- j) If the owner of the animal, at the time of the issuance of any citation, has been convicted of a violation on two occasions within the previous year regarding the same animal, the violation of this section may be charged as a misdemeanor.
- k) If the animal control officer receives a complaint after one year or more has elapsed since the most recent prior complaint, the officer shall issue a warning and continue pursuant to Section (e) through (i).
- l) The penalty for conviction of an infraction based on this section shall be a fine of up to One Hundred Dollars (\$100.00).
- m) The penalty for conviction of a misdemeanor based on this section shall be up to six (6) months in jail and/or a fine of up to Five Hundred Dollars (\$500.00), and the owner shall

be required to either remove the dog from the premises or have the dog surgically debarked.

- n) Nothing in this section shall be construed to prevent any party from bringing a civil action to abate the nuisance.

13.04.300 Vicious or Dangerous Animals

- a) "Vicious or dangerous animal" shall mean any domesticated animal which shows a propensity to attack, bite, scratch, or harass people or other animals without provocation.
- b) The owner of any animal that has bitten or attacked any human being or has killed, attacked, or caused damage to any other animals, shall have the duty to take such reasonable steps as are necessary to prevent this animal from biting or attacking another human being or from killing, attacking, or causing damage to any other animal.
- c) The Chief of Animal Control, as to such vicious or dangerous animal, is empowered to:
1. Notify the owner of such animal that such owner is required thereafter at all times to keep such animal in a secure enclosure or provide such other adequate secure restraints may be specified; or
 2. Notify the owner of such animal that reasonable cause exists, and a concise statement of reasons therefor, to believe that such animal will continue in the future to be a menace to the safety of human beings or to other animals and that a hearing will be conducted by the ~~Board of Supervisors~~ City of Loyalton City Council Members, or Hearing Officer selected by the ~~Board~~ City Council, to determine whether such animal should be destroyed.
- d) Should a hearing be ordered for an animal pursuant to Section 13.04.300 (c) the animal shall be impounded at the discretion of the Chief of Animal Control until after the hearing occurs and a decision is rendered. The Chief of Animal Control may as an alternative, require the owner of the animal to post a cost bond in the amount up to Five Hundred Dollars (\$500.00) or other security acceptable to ~~County City Council~~ Counsel, which cash bond or other security shall be forfeited in the event the animal is not delivered into the custody of the Chief of Animal Control if such is ordered after consideration of all the evidence at the hearing.
1. Notification of such hearing shall be given by personal services of written notification on such owner not less than ten (10) calendar days prior to the hearing.
 2. Such hearing shall be held ~~not longer~~ no longer than forty-five (45) days after the animal is taken into custody, or forty-five (45) days after the incident if the animal is not in custody.
 3. At such hearing, the owner shall have the right to testify, to be represented by counsel, to present witnesses on his own behalf, to cross-examine all other witnesses, and present oral and written documents and evidence on the issue.
 4. At the conclusion of the hearing, the ~~Board~~ City Council or Hearing Officer may make such orders as are appropriate for the protection of the public, including, but no limited to, orders that the animal may be destroyed by the Chief of Animal Control at a specified date, time, and location.

- e) Failure to comply with any restraint order issued under Section 13.04.300 is a misdemeanor.

13.04.310 Duty to Report Bite

It is the duty of any person having knowledge that ~~may any~~ animal capable of transmitting rabies has bitten a human being within ~~Sierra County the City~~ to immediately report the fact to the ~~County~~ Health Department, the Chief of Animal Control, or the Sheriff and to furnish complete information thereof.

13.04.320 Taking Up Stray Animals

It is the duty of any person that takes up a stray animal to notify the Chief of Animal Control within forty-eight (48) hours of taking up the animal.

13.04.330 Animals Subject to Impoundment

Any animal which is, to the knowledge of the Chief of Animal Control, engaged in an activity, or existing in a condition prohibited by this Chapter may be taken and impounded at the Animal Control Center or at such other place as may be approved the Director of Health.

13.04.340 Impoundment of Livestock

In addition to the power vested in the Chief of Animal Control for the impoundment of any horse, mule, cow, goat, sheep, hog, or burro found running at large, any peace officer is hereby empowered to impound such animal and to turn such animal over the Chief of Animal Control for disposition under this Chapter.

13.04.350 Period of Impoundment

- a) All impounded dogs found wearing a current dog license tag shall be kept in the Animal Control Center for a period of not less than fourteen (14) days unless redeemed within such period.
- b) All impounded dogs not wearing a current dog license tag shall be kept in the Animal Control Center for a period of not less than seventy-two (72) hours unless redeemed within such period.
- c) Following the impoundment of any dog, the Chief of Animal Control shall notify the owner of any licensed dog or the owner of any unlicensed dog if known, either personally or in writing, and personally or by telephone if reasonably possible, after which said dog will otherwise be disposed of as authorized by this Chapter.
- d) Any impounded bovine animal shall be kept in the Animal Control Center for at least five (5) days unless it is redeemed within such period.
- e) Any other animal impounded, except dogs and bovine animals, shall be kept in the Animal Control Center for at least seven (7) days unless it is redeemed within such period.
- f) Following the impoundment of any animal other than dogs, the Chief of Animal Control shall notify the owner if know, in the writing or if the owner is not known, he/she may publish such notices and advertisements as he/she deems necessary for the return of such

animals. Written notice to owners of licensed dogs shall be by certified mail and the Animal Control Officer shall maintain a record of all mailings for a period not less than one (1) year.

- g) Any animal which is voluntarily surrendered to or deposit with the Animal Control Center or Authorized personnel thereof by the owner shall not be deemed impounded and need not be kept for retained for any minimum period of time.
- h) Any cat impounded, other than under Section 8.08.300 shall be cared for by the Chief of Animal Control for not less than seven (7) days after which such cat may be humanely destroyed or otherwise disposed of.

13.04.360 Redemption

The owner of any animal impounded may, at any time before the disposition thereof, redeem the same by offering proof of ownership, and by redeeming all proper fees and charges accrued as provided for by this Chapter provided, however, that if the animal is one which is subject to a license herein, the licensing requirements must be satisfied before the animal's release, except that an impounded dog that has not been vaccinated against rabies (or exempted therefrom by an exemption certificate as provided in the Article) may be released to an owner who has paid all fees required herein including the license fee, on condition that such owner shall:

- a) Have the dog vaccinated for rabies within ten (10) days; and
- b) Exhibit a valid certification of vaccination the Chief of Animal Control within ten (10) days, at which time the license will be issued.

13.04.370 Disposition of Impounded Animals

- a) Except as otherwise provided in this Ordinance, an impounded animal which is not redeemed within the applicable holding period specified in this Chapter may, in the discretion of the Chief of Animal Control, be sold, transferred, destroyed, or otherwise disposed of.
- b) If an animal is sold, the receipt signed by the Chief of Animal Control shall be valid title to the purchaser.
 - i. When any dog or cat is to be sold pursuant to this chapter, prior to the delivery of the animal, there shall be deposited by the purchaser with Animal Control, a spaying or neutering deposit which shall be designated for the veterinarian of the purchaser's choice, for the partial payment of the spaying or neutering operation. The amount of the deposit shall be designated by the Chief of Animal Control. The purchaser shall be responsible for any additional costs of the spaying or neutering operation over and above the deposit. Upon receipt from the veterinarian that the spaying or neutering operation has been performed, the deposit will be forwarded to the veterinarian. In the event that the purchaser fails to have the animal spayed or neutered within the six-month period following its purchase, the spaying and neutering deposit will be forfeited and shall become the property of the County-City subject to inter-County controlled obligation, if any.

Formatted: Normal, Indent: Left: 0.19", Hanging: 0.25", No bullets or numbering

Formatted: Font: (Default) Times New Roman, 12 pt

Formatted: Font: (Default) Times New Roman, 12 pt

- c) Notwithstanding any other provision of this Chapter to the contrary, an impounded animal which is determined by the Chief of Animal Control to be unfit and of no further use, dangerous, injured or ill, may be destroyed or otherwise disposed of as ordered by the Chief of Animal Control upon the concurrence of the Administrator of Health and Medical Services.

13.04.380 Impound Fees

- a) An impound fee for every impounded animal and/or livestock shall be charged and collected when claimed and before released in an amount set forth in a Resolution establishing such fees ("the Animal Control Fee Resolution"), a copy of which shall be maintained with this Chapter.
- b) When extraordinary care or expense is incurred, the actual cost will be charged. In the case of animals other than dogs, this includes, but is not limited to, transportation, custody, boarding, and advertising expense.
- c) A redemption fee shall be charged and collected in an amount set forth in the Animal Control Fee Resolution.
- d) For taking into custody any dog, cat, or livestock at the request of the owner thereof, either at the Animal Shelter or the owner's residence, a fee in the amount set forth in the Animal Control Fee Resolution shall be charged and collected.
- e) In the case of animals other than dogs, when the Chief of Animal Control causes an animal at large to be returned to the property of the owner of the animal, a fee amounting to time, mileage, and extraordinary expense may be charged.

13.04.390 Quarantine

- a) The Chief of Animal Control shall ensure that all animals falling into the following categories shall be isolated or quarantined at the place and under the conditions prescribed by the Health Officer and pertinent State laws and regulations. If the place of quarantine designated by the Health Officer is the owner's residence, then a fee in an amount set forth in the Animal Control Fee Resolution shall be charged and collected.
 - 1. Known rabid animals.
 - 2. Suspected rabid animals.
 - 3. Animals that have bitten or otherwise exposed a human to rabies.
 - 4. Animals of a species subject to rabies which have been bitten by a known rabid or suspected rabid animal or have been in intimate contact with a rabid or suspected rabid animal.
- b) It shall be unlawful for the owner or keeper of an animal to violate any of other conditions of isolation or quarantine prescribed by the Health Officer.

13.04.400 Delivery of Carcass

Upon the death of any rabid animal, clinically suspected rabid animal, or animal which has bitten or otherwise exposed a human to rabies, the Chief of Animal Control shall obtain and turn over to the Health Officer the carcass of said animal or an adequate specimen thereof.

13.04.410 Vaccination

Every dog over four (4) months of age shall have a medically current vaccination with a canine anti-rabies vaccine approved by the Health Department of the State of California. Such vaccination shall be administered by a veterinarian or as provided through ~~county~~ City or County recognized vaccination clinics.

Every person who owns or comes to own an unvaccinated dog shall have ten (10) days in which to comply with the provisions of this section.

Notwithstanding any provision to the contrary herein, no dog need to be vaccinated for rabies where:

- a) A licensed veterinarian has examined said dog and certified at such time that vaccination would endanger the dog's health because of physiological reasons; and
- b) Such certificate is presented to the Health Officer within five (5) days of such examination; and
- c) The Health Officer concurs in the opinion of the veterinarian, contained in such certificate, and endorses on such certificate his approval thereof. Such certificate must bear the date of issuance and must be renewed each year.

Every veterinarian, after vaccinating a dog for rabies, shall issue a certificate and furnish one copy of the certificate to the owner of the dog and one copy to the Chief of Animal Control. The Certificate shall be in the form prescribed by the Chief of Animal Control.

13.04.420 Licenses

The dog licenses and kennel licenses required by this Chapter shall be ~~obtained from and~~ obtained from and issued ~~by the County~~ by the County upon the payment ~~to the County~~ to the County of the fees ~~herein~~ fixed by the County for a period of twelve (12) months commencing upon the date of application and upon the showing of a valid certificate of rabies vaccination. Such dog licenses shall expire on the anniversary date of the rabies certificate, but in no case shall a dog license be valid past the expiration date of the rabies certificate.

- a) Every dog over four (4) months of age shall be subject to an annual license fee in the amount set forth in the County Animal Control Fee Resolution.
- b) Any person failing to procure a dog licenses prior to the expiration date of a previously issued dog licenses shall pay the amount set forth in the County Animal Control Fee Resolution as a penalty for such failure.
- c) Any person failing to procure a dog licenses with thirty (30) days after the dog becomes four (4) months of age shall pay the amount set forth in the County Animal Control Fee Resolution as a penalty for such failure.
- d) Any person failing to procure a dog license within thirty (30) days of bringing such dog into the County shall pay the amount as set forth in the County Animal Control Fee Resolution as a penalty for such failure.
- e) The Chief of Animal Control shall procure and issue serial numbered license tags stamped with the name of the County. Such tags shall on be issued upon the application of owners who have complied with the vaccination and fee provision of

Comment [3]: All licensing and the annual rabies clinics are conducted by the County Public Health Department. The City does not provide this service and does not retain any fees generated from licensing from within the City boundaries.

this Chapter, and such license tag will be permanently issued for each dog and shall remain with that dog.

- f) Every dog shall be provided by the owner with a suitable collar or other device to which a dog license tag shall be attached.
- g) A fee shall not be levied for any dog license issued for a see-eye dog owned by a blind or partially blind person, a dog used by any law enforcement personnel, or any dog owned by a senior citizen over the age of sixty-five (65) years. The forgoing shall not exempt any animal from the requirement of maintaining a current rabies vaccination.
- h) In the event a license tag is lost from the body of any dog for which the same was issued, the owner shall, within ten (10) days thereafter, procure another and new license for such dog, for which he/she shall pay a fee as set forth in the County Animal Control Fee Resolution. As often as any license is lost, the same shall be replaced in the same manner as hereinabove provided, within the same license year.
- i) The Chief of Animal Control may authorize veterinarians to sell dog licenses pursuant to this Chapter. Such veterinarians shall be reimbursed the amount as set forth in the County Animal Control Fee Resolution for each license sold.
- j) At the request of an owner and upon showing of a valid certificate of rabies vaccinations, a license for a cat may be issued and an annual fee in the amount set forth in the County Animal Control Fee Resolution shall be charged and collected.
- k) The Chief of Animal Control shall charge and collect an application and annual permit fee in addition to regular license fees for any vicious or dangerous animal as defined in Section 13.04.300 in amounts set forth in the County Animal Control Fee Resolution.
- l) Any person failing to procure a permit for a vicious or dangerous animal prior to the expiration date of a previously issued permit shall pay an amount as set forth in the County Animal Control Fee Resolution as a penalty for such failure.

13.04.430 Renewal Notices

At least thirty (30) days prior to the expiration date of a dog license or kennel license, the County Chief of Animal Control shall mail a renewal notice to the owner of a dog or the owner of a kennel. The foregoing notwithstanding, it shall be the duty and obligation of any owner to maintain current licensing on all dogs and all kennels and the failure to receive notice of renewal, for any reason, shall not constitute a defense or waiver of any provision of this Chapter.

Comment [4]: Will the County do this?

13.04.440 Kennelled Dogs

Dogs kept in or at a kennel shall be subject to all the regulations and controls herein pertaining to non-kennel dogs except for the individual dog license requirements.

13.04.450 Kennel Licenses

- a) No person shall own a kennel without first applying to and receiving from the Chief of Animal Control an animal license to do so, if the zoning is proper.

The application for a license shall contain the name of the applicant, his address, the address for the proposed location of the kennel if different from the applicant's, a brief description of the housing facilities and the number and description of the dogs to be kept therein.

The fee for the issuance of a kennel license shall be due and payable by the owner on the first day of July each year according to the fees set forth in the County Animal Control Fee Resolution.

Any person failing to procure and pay for a kennel license or who fails to pay for a new kennel license prior to the expiration date of the previous license shall pay the amount as set forth in in the County Animal Control Fee Resolution as penalty for such failure.

- b) The Chief of Animal Control shall procure and issue serial numbered license tags stamped with the name of the County. Such tags shall only be issued in the following numbers upon the application of kennel owners who have complied with the vaccination and fee provision of this Chapter.

Two (2) tags for kennels with five (5) to ten (10) dogs; Four (4) tags for kennels with eleven (11) to fifteen (15) dogs; Six (6) tags for kennels with sixteen(16) or more dogs.

Any dog which is removed from the physical location of kennel shall have a license tag attached to its collar at all times; additional tags can be obtained for the amount as set forth in the County Animal Control Fee Resolution.

- c) Upon receipt of an application for a kennel license by the Chief of Animal Control, the application shall be forwarded to the Building Inspection Section of the County Department of Public Works, the Public health Department of the County, the Planning Department of the County, and designated employees of these departments shall ascertain whether or not the applicant's plan is in conformity with County law governing their respective department.

If the applicant's kennel is in conformity with the law governing said departments, departmental approval shall be indicated on the fact of the application. If the applicant's kennel is not in conformity with the law governing said departments, the face of the application shall be marked "NOT APPROVED" and the reason for the non-approval noted thereon, along with any revision or changes in the applicant's kennel which, if made, would result in approval by the department in question.

Upon approval by said department of an application for a license, the Chief of Animal Control shall make any investigation he/she deems proper. He/she shall approve an application if he finds all of the following:

- 1) Keeping the kennel at the location specified in the application will not violate any ~~low-law~~ or ordinance of this County, City of any law of the State of California.

Comment [5]: Will the County perform this function within the City or will the City have o do it?

- 2) Keeping and maintenance of the kennel will not endanger the peace, health, or safety of persons in the immediate vicinity, or in the County or City as a whole.
 - 3) Premises and housing where the kennel is to be maintained are in a clean and sanitary condition, and any dog kept therein will not be subject to suffering, cruelty or abuse.
 - 4) The applicant has not had a license provided for herein revoked within a year prior to the date of application.
 - 5) Keeping and maintenance of the kennel does not constitute a public nuisance.
- d) Any kennel license issue pursuant to this Article may be revoked or suspended as herein provided if, after investigation, the Chief of Animal Control finds any of the following to be true:
- 1) The owner, his agent or employee has been convicted of any offense involving the violation of Section 597 of the Penal Code of the State of California, or any provision of this Chapter, or is in violation of the zoning, health and safety or building ordinances relating to the keeping of dogs; or
 - 2) The owner has failed to keep and maintain the premises or housing for the kennel in a clean and sanitary condition; or
 - 3) The owner has at the place for which the kennel license was issued, failed to provide any dog with proper food, water, shelter, or attention; or
 - 4) The owner has violated any rules, regulations, or conditions adopted by the Chief of Animal Control as necessary to insure that the kennel will not endanger the safety of any person or property.

13.04.460 Damage to Property – Cats

No owner of a domestic call shall permit or suffer the cate to damage property, public or private, real or personal, or to bite, scratch, or claw nay human being or other animal which is on the property of another.

13.04.470 Dead Animal

Dead animal, as used herein, shall mean the body of any dead horse, mule, cow, ox, bull, or other animal which wights fifty (50) pounds or more at the time of death.

13.04.480 Unlawful Disposal Prohibited

It shall be unlawful for any person owning or having under his control a deal animal to permit such dead animal to remain unburied for a period in excess of twenty-four (24) hours.

13.04.490 Exceptions

This Article shall not apply to any animal killed for purposes of consumption provided that the remains of such dead animal are processed in such a manner as to prevent such dead animal from spoiling.

13.04.500 Cost of Removal

In addition to any other penalty herein, the ~~County-City~~ shall be entitled to dispose of any dead animal coming within the prohibition of this Chapter if such animal remains unburied for a period in excess of twenty-four (24) hours. Such costs of removal and burial shall be a lien and charge against the owner and person in control of such animal immediately prior to its death. The ~~County-City~~ shall attempt to contact the owner of such dead animal prior to disposing of same.

13.04.510 Responsibility of Livestock Owner

If livestock cause or occasion damage by breaking through a lawful fence, the owner and person entitled to possession of the livestock shall be responsible for such damage. Nothing herein shall be construed to establish liability as to unfenced land.

13.04.520 Status of Violations

The first and second violation of this Chapter (other than Section 13.04.290 or unless specifically proved in this Chapter) shall constitute an infraction. If the owner or person in control of an animal, at the time of the issuance of any citation, has been convicted of a violation of this Chapter or has pled no contest to such violations on two occasions within the previous twelve (12) months regarding the same animal, or if there is a violation of 13.01.300(b) then the violation of the Chapter may be charged as a misdemeanor.

13.04.530 Penalty for Violations

The penalty for conviction of the first infraction (other than Section 13.04.530) based on a violation of this Chapter shall be fine of Twenty Dollars (\$20.00). The penalty for conviction of the second infraction within twelve (12) months regarding the same animal shall be up to One Hundred Dollars (\$100.00). The penalty for conviction of a misdemeanor based on this Chapter shall be up to six (6) months in jail and/or a fine of up to Five Hundred Dollars (\$500.00).

13.04.540 Severability

If any provision of Sections 13.04.010 – 13.04.530 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 the remaining portion of said Section. The ~~Board of Supervisors-City Council~~ declares that it would have added said Section and each provision thereof irrespective of the fact that any portion thereof be declared invalid or unconstitutional.

13.04.550 Damages

Nothing in Sections 13.04.010 – 13.04.530 shall be deemed to change in any manner any other remedies for damages otherwise available to a landowner, livestock owner, or third parties.

//

PASSED AND ADOPTED this ~~12th~~ day of ~~April~~, ~~1990-2021~~ by the City Council of the City of Loyalton, State of California, by the following vote:

AYES: ~~K. Peterson, M. Moran, M. Hudson~~

NOES: ~~None~~

ABSENT: ~~M. Gottardi, E. Smith~~

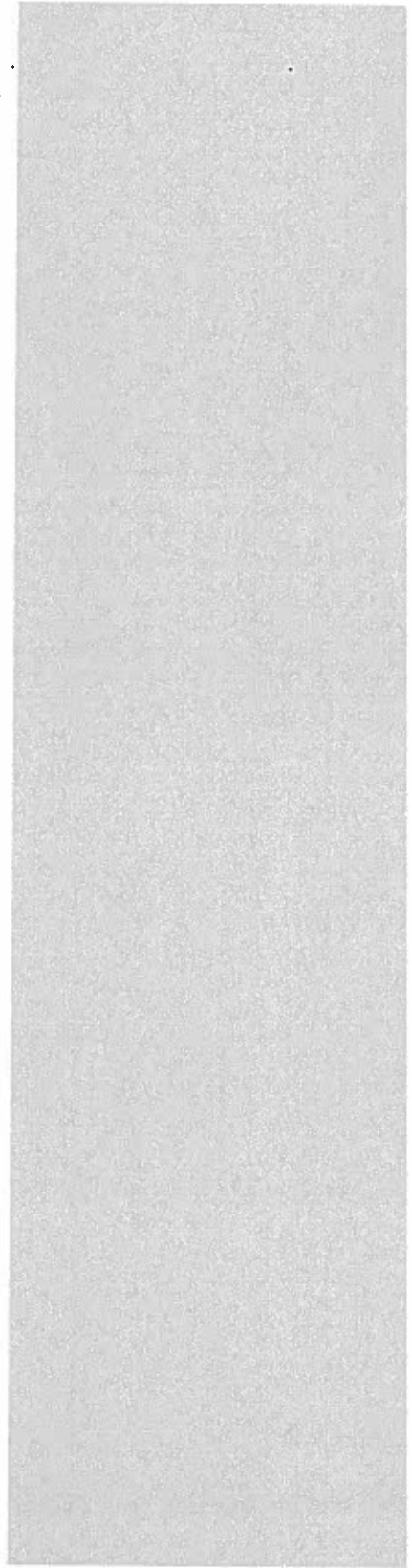
ABSTAINED: ~~None~~

Mayor

ATTEST:

City Clerk

ORDINANCE NO: 375
Page 19



Tim Beals, Director of Planning & Building
Sierra County
PO Box 530
Downieville, CA 95936
06/08/2021

Dear Mr. Beals,

The City of Loyalton is interested in evaluating the options for reforming a partnership between the City of Loyalton and Sierra County for Building & Planning Services including but not limited to: residential and commercial building permit applications, plan checking, inspections, code enforcement, land use, zoning, flood plain management, and general plan work.

We look forward to hearing from you.

Warmest Regards,

Sarah Jackson
Mayor
City of Loyalton

North

Alley

City Sewer Main

Alley

New clean out

New Pipe

New clean out

New Pipe connects to vertical old pipe that goes straight down to Main Sewer line.

diagram attached.

609 Church St.
Residence

Fifth Street

Church St.

