



BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: May 19, 2015

Title: An Ordinance Amending Pima County Code 6.04.060 Pound Fees

Introduction/Background:

Pima County Code 6.04.060 itemizes pound fees the Pima Animal Care Center (PACC) may charge. The proposed ordinance would establish animal surrender fees for when an animal originates from a jurisdiction that does not have an animal sheltering agreement with the County.

Discussion:

The County has statutory animal care responsibilities only in unincorporated Pima County and by intergovernmental agreements (IGAs) has also been providing animal care services to the five (5) local incorporated municipalities. Fiscal year-to-date, 59.5 percent of PACC animals came from these municipalities and only 40.5 percent came from unincorporated Pima County. Should these IGAs lapse or be terminated, PACC would need to generate revenue to be financially able to save and rehome pets from non IGA jurisdictions. The proposed fees are \$35 for those residents that can call ahead to make appointment thus assisting the Shelter in regulating its intake to staff and space resources, and conversely a \$70 fee for walk-ins. These fees are modeled after the Humane Society's fees. As outlined on the attached Additional Information and Comment Received Log, the Animal Care Advisory Committee voiced several concerns with the proposed fee believing they are not in the best interest of the animals and by motion at their March 19, 2015 meeting, opposed establishing surrender fees. The Log also records that, at an April 16, 2015 meeting with city and town senior leadership, County staff received several concerns related to the new fees. The Pima County Board of Health is scheduled to hear the proposal at their April 29, 2015 meeting. The Additional Information and Comment Received Log also identifies completion of the mandated public posting and advertising of the Ordinance and the new fees.

Conclusion:

The proposed ordinance would codify establishment of animal surrender fees to offset expenses associated with caring for animals from a jurisdiction that does not have an animal sheltering agreement with the County. The ordinance and new fees have been posted pursuant to State statutes. The Advisory Committee does not support the new fees and staff received several comments opposing the fees and no supporting comments.

Recommendation:

Staff recommends the Board adopt Ordinance 2015- _____ Amending Pima County Code Title 6, Chapter 6.04 Section 6.04.060 to establish animal surrender fees for when an animal originates from a jurisdiction that does not have an animal sheltering agreement with the County.

Fiscal Impact:

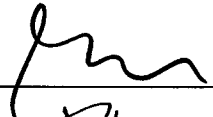
Currently, staff provides over \$1.6 million dollars annually in animal sheltering services to more than 14,000 pets through intergovernmental agreements with the five jurisdictions. Assuming termination of all municipal IGAs and the related significant service demand reduction, staff projects the new fees might generate \$114,000 annually.

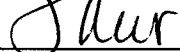
Board of Supervisor District:

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☒ All

Department: Health

Telephone: 724-7776

Department Director Signature/Date: 

Deputy County Administrator Signature/Date:  4/27/15

County Administrator Signature/Date:  4/27/15

**Additional Information and Comment Received Log
Ordinance to Amend Pima County Code 6.04.060 – Pound Fees**

Staff recommends it is in the best interest of the County to modify Pima County Code Section 6.04.060, Pound Fees, to charge a surrender fee to individuals surrendering animals to the Center, where the animal originates from a jurisdiction that does not have an animal sheltering agreement with the County, to offset the costs of caring for, rehabilitating and rehoming pets turned in to the Pima Animal Care Center.

On March 19, 2015, pursuant to ARS § 11-251.13, staff posted the draft ordinance on the Pima County Website.

On March 19, 2015, staff shared the proposed ordinance with cities' and towns' staff.

On March 19, 2015, staff presented the proposal to the Pima Animal Care Advisory Committee at its regularly scheduled public meeting.

During the discussion the Committee voiced the following concerns:

- Add a litter drop off fee
- This is a bad idea-if you require payment, people will not drop off, will not help dog sitting in the street, political maneuvering, people of Tucson do not want this, lot of animals suffering and volunteers may boycott serving at PACC.
- PACC is here to take care of animals, not turning people away.
- Chair will fight hard against this increase.
- Not giving City the wrong message that services will be provided free with or without an agreement.

Committee requested the language be clarified on who is to pay the new surrender fee.

Motion duly seconded that the Committee will not support an intake fee but will support a licensing fee increase. The motion carried (8-0), with Ms. Schwerin abstaining from the vote.

On March 23, 2015 met with City of Tucson representatives to answer questions.

On April 16, 2015, the County Administrator, two Deputy County Administrators and the Health Department Director briefed Ms. Martha Durkin, Interim City Manager, City of Tucson; Mr. Benny Young, City Manager, City of South Tucson; Mr. Greg Caton, Town Manager, Town of Oro Valley; Mr. Jamsheed Mehta, Deputy Town Manager, Town of Marana; and Ms. Teri Bankhead, Assistant to the Town Manager, Town of Sahuarita, on the proposed new fees. The managers and representative questioned the need for the ordinance. The County Administrator offered that should IGAs be terminated with jurisdictions, revenue would need to be created for serving pets from non-contracted jurisdictions. The ordinance is County due diligence in preparing for possible future needs.

Staff has requested the ordinance be advertised in the Daily Territorial on April 30 and May 1, 2015.

Staff is scheduled to present the ordinance to the Pima County Board of Health at its April 29, 2015 meeting.

ORDINANCE 2015- _____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, RELATING TO ANIMALS; AMENDING PIMA COUNTY CODE CHAPTER 6.04 TO ADD A SURRENDER FEE FOR THE IMPOUNDMENT OF CERTAIN ANIMALS

THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA, FINDS THAT:

1. The Board of Supervisors has authority under A.R.S. § 11-1005(C) to establish fees for impounding animals at the Pima Animal Care Center.
2. It is in the best interests of the County to charge a surrender fee for the impoundment of animals originating from a jurisdiction without a current animal sheltering agreement with the County in order to offset the costs of caring for, rehabilitating and rehoming such animals.

THEREFORE BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF PIMA COUNTY, ARIZONA:

SECTION 1: Pima County Code Title 6, Section 6.04.060, is amended to add a new surrender fee for the impoundment of animals originating from a jurisdiction without a current animal sheltering agreement with the County and to renumber the subsequent subsection accordingly, as follows:

CHAPTER 6.04

ANIMAL CONTROL REGULATIONS

. . .

6.04.060 - Pound fees.

The Pima Animal Care Center may charge pound fees pursuant to the following schedule:

. . .

OO. Animal surrendered to the Center where the animal originates from a jurisdiction that does not have an animal sheltering agreement with the county. The fee is charged to the individual or agency surrendering the animal:

1. With appointment, thirty five dollars.
2. Without appointment, seventy dollars.

PP. Pima Animal Care Center may waive any or all pound fees.

. . .

SECTION 2. This Ordinance is effective 30 days after the date of adoption.

PASSED AND ADOPTED by the Board of Supervisors, Pima County, Arizona, this
_____ day of _____, 2015.

Chair, Board of Supervisors

Date

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:



Deputy County Attorney

JONATHAN PINKNEY-BAIRD