



Request for City Council Committee Action from the Department of

Date: February 19, 2008

To: CM Don Samuels, Chair of Public Safety and Regulatory Services Committee

Referral to: CM Paul Ostrow, Chair of Ways and Means

Subject: Schedule of Civil Fines for Administrative Offenses

Recommendation: Approve proposed fine increases

Previous Directives: Amendments to Title 4, Chapter 64 Relating to Dogs, Cats, Ferrets, and Rabbits

Prepared by:

Burt Osborne, Director

Lori Olson, Deputy Director

Dan Niziolek, Manager Animal Care and Control

Approved by:

Rocco Forte, Assistant City Coordinator

Burt Osborne, Director

Lori Olson

Presenters in Committee:

Burt Osborne, Director

Reviews

- Permanent Review Committee (PRC): Approval ____ Date _____
- Civil Rights Approval Approval ____ Date _____
- Policy Review Group (PRG): Approval ____ Date _____

Financial Impact

- No financial impact
- Action requires an appropriation increase to the ___ Capital Budget or ___ Operating Budget
- Action provides increased revenue for appropriation increase
- Action requires use of contingency or reserves
- Action is within the Business Plan
- Action requires a change to the Business Plan
- Other financial impact
- Request provided to the Finance Department when provided to the Committee Coordinator

Community Impact

- Neighborhood Notification
- City Goals
- Comprehensive Plan
- Zoning Code
- Other

Supporting Information

The administrative fine schedule for animal related violations has never been updated since Animal Care and Control began issuing administrative citations in mid 2006.

Prior to implementing Administrative Citations, ACC would issue petty misdemeanors or misdemeanors, depending on the violation. In the case of unlicensed pets, a petty misdemeanor was issued, resulting in a fine of approximately \$50. In the case of other issues like failure to leash, the penalty was approximately \$80.

Given enforcement costs, the proposed fine levels reflect ACC's need to ensure our enforcement costs are more fully covered by those creating the costs, i.e. those violating city ordinances. As you are aware, ACC received staffing cuts in the 2008 budget. As we move to a more cost recovery model (a direction of the council) we will be less susceptible to budget cuts, and thus better able to create a stronger animal care and control program.

In addition, ACC fine levels are in line with or below other city ordinance violations. Most housing and business licensing citations are at least \$200. Given the potential impact on public safety and public health of an unvaccinated dog (proposed fine \$100) versus tall grass or peeling paint (existing fine for each is \$200), our proposed fine levels are very reasonable.

In comparison, St. Paul will issue a \$50 penalty or a Petty Misdemeanor for individuals with dogs which are not licensed. Petty misdemeanors carry up to a \$300 fine, but the standard ticket for an unlicensed pet that St. Paul issues is approximately \$80.

In summary, ACC issued 1,690 citations in 2007 for a total of \$75,450 in administrative fines. The following represent the specific number of citations issued for the following ordinance violations:

62.30 - Interfering with Animal Control Warden - 2

64.10 - License Required - 1,261

64.20 - Collar/Tags Required - 3

64.50a - Leashing - 405
64.50b - Feces - 51
64.55 - Off Leash - 180
64.90 - Disturbing the Peace - 4
64.110 - Dangerous Animal - 18
64.135 - Public Protection - 37
64.140 - Spay/Neuter - 48
66.10 - Vax of Dogs Required - 97
66.20 - Vax of Cats Required - 1
66.40 - Impoundment of Rabies Suspect - 4
70.10 - Permit Required - 5
74.10 - Unattended - 2
74.60 - Permit Required (exceptions) - 2
343.40 - Dog Houses - 1

Beyond Minneapolis, here are the fine amounts for other cities:

Milwaukee	\$78
Seattle	\$125
Calgary	\$250