

ORDINANCE NO.

ORDINANCE OF THE CITY OF ROCKLIN ENACTING
SECTION 6.12.200 OF TITLE SIX THE ROCKLIN MUNICIPAL CODE
REQUIRING THE REMOVAL OF ANIMAL WASTE

WHEREAS, the City of Rocklin has received numerous complaints regarding the failure of persons to pick up after their animals within the City of Rocklin, on public and private property; and

WHEREAS, the accumulation of animal waste is injurious to the public's health, is offensive to the senses, and is an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, thereby constituting a nuisance; and

WHEREAS, the City Council of the City of Rocklin wishes to establish an ordinance requiring removal of animal waste, and declaring the accumulation of animal waste a nuisance.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF ROCKLIN DOES ORDAIN AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to enact Section 6.12.200 of Title 6 of the Rocklin Municipal Code to require removal of animal waste.

Section 2. Authority. This ordinance is enacted under the authority granted to cities by Article XI, Section 7 of the California Constitution and Government Code sections 37100 and 38771.

Section 3. Enact. Section 6.12.200 of Title 6 of the Rocklin Municipal Code requiring removal of animal waste is hereby enacted as follows:

6.12.200 Removal of animal waste.

A. It is unlawful for the owner or person having the custody of any dog to fail to immediately remove and dispose of in a sanitary manner, by placing in a closed or sealed container and depositing in a trash receptacle, any feces deposited by such dog upon public property or upon private property not exclusively owned or controlled by the owner or person having the custody of such dog.

B. Any person who has the charge or control of any dog in a location other than on private property exclusively owned or controlled by such person, or on the property of the owner of the dog, shall have in his or her possession a suitable wrapper, bag or container for the purpose of complying with the requirements of this section. The failure of any person to carry such a wrapper, bag or container when in charge or control of any dog in a location other than on property exclusively owned or controlled by such person, or on the property of the owner of the dog, shall constitute a violation of this section.

C. Subsections A and B of this section shall not apply to the proper use of guide dogs, service dogs, or signal dogs as defined in Section 54.1 of the California Civil Code, as may be amended.

D. It is unlawful for a person to allow any dry or wet animal waste to accumulate upon his or her property private property in such a manner as to emit noxious or offensive odors or to become unsanitary or injurious to public health or to the extent that the accumulation otherwise creates a nuisance. A nuisance, for purposes of this subsection, includes, but is not limited to, dry or wet solid

waste accumulation that interferes with the use or enjoyment of any neighboring property as a result of odors or the attraction or breeding of vermin or vectors.

Section 4. Effective Date. This ordinance shall take effect 30 days after the date of its adoption.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance 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 portions of this ordinance. City Council hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or portions to be declared invalid or unconstitutional.

Section 6. Publication. Within 15 days of passage of this ordinance, the City Clerk shall cause the full text of the ordinance, with the names of those City Councilmembers voting for and against the ordinance, to be published in the *Placer Herald*. In lieu of publishing the full text of the ordinance, the City Clerk, if so directed by the City Attorney and within 15 days, shall cause a summary of the ordinance, prepared by the City Attorney and with the names of the City Councilmembers voting for and against the ordinance, to be published in the *Placer Herald*, and shall post in the office of the City Clerk a certified copy of the City Councilmembers voting for and against the ordinance. The publication of a summary of the ordinance in lieu of the full text of the ordinance is authorized only where the requirements of Government Code section 36933(c)(1) are met.

INTRODUCED at a regular meeting of the City Council of the City of Rocklin held on, 2021, by the following vote:

AYES: Councilmembers:
NOES: Councilmembers:
ABSENT: Councilmembers:
ABSTAIN: Councilmembers:

Jill Gayaldo, Mayor

ATTEST:

Hope Ithurburn, City Clerk

First Reading: June 6, 2021
Second Reading:

Effective Date: