

CITY OF DELANO



REQUEST FOR ACTION

<u>Department Head</u>	<u>City Council Date</u>	<u>Agenda Item</u>
Marlene E. Kittock, City Clerk		

Review and approve an amendment to the Chapter 4 (Public Protection and General Licensing) Section 406.01 (Animal Regulations and Licenses) by repealing Subdivision 15 (Dangerous and Potentially Dangerous Dogs), Subdivision 17 (Restrictions on Dog Ownership) and Subdivision 23 (Dog Enclosures) and thereby granting Wright County the Authority for matters related to dangerous and potentially dangerous dogs and enforcement of the Wright County Ordinance.

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BACKGROUND

With the adoption of the Ordinance number 0-09-03, dated March 17, 2009, the City of Delano re-codified its City Codes which included regulations and enforcement of a dangerous and potentially dangerous dog. On January 19, 2010 The Wright County Board of Commissioner held a public hearing regarding adoption of an Ordinance for Dangerous and Potentially Dangerous Dogs in Wright County. The County Commissioners adopted said County Ordinance and scheduled a second public hearing for the purpose of setting fees amounts for the annual registration of dangerous dogs. The Delano Herald Journal report that at this hearing the fee was set at \$200. In the attached letter the County requests verification from every jurisdiction of its intent to either allow or not allow the County to regulate the aforementioned dog ordinance. Mr. Asleson has stated in an email that the Sheriff Office would be the vehicle for enforcement, that no further amendments would need to be incorporated into that agreement, and no additional fee to enforce the County Ordinance is anticipated at this time. Given the issues of containment, capture, room and board, and general liability of the City handling these issues, staff is recommending that the City Council "opt in" to the Wright Ordinance. Staff has had verbal communication with the City Attorney's Office and as sent an email to Mr. Asleson, Esq., indicating Delano intent to "opt in". In addition, a copy of the draft Delano amending ordinance has been forwarded to the County for their review. There staff is recommending adoption of the amending ordinance as prepared by the City Attorney, Kristy Warren.

FUNDING

ATTACHMENTS

1. Delano's 2009 Existing Animal Regulations and Licenses Code
2. Memo dated January 29, 2010 Wright County Ordinance regarding dangerous and potentially dangerous Dog Ordinance
3. Chief Deputy County Attorney Brian Asleson email response regarding specific questions of the Delano City Attorney Kristy Warren.
4. Kristy Warren recommendation email regarding the County's Ordinance.
5. Draft Repealing City of Delano Ordinance
6. County Attorney comment email.
7. Herald Journal News Release.