

ACTION SHEET
CITY COUNCIL COMMITTEE MEETING OF 01/14/15
ITEM FROM FINANCE COMMITTEE MEETING OF 01/05/15

ISSUE:

22. Request for Approval of an Ordinance Relating to the City of Santa Fe Animal Services Ordinance, Chapter 5 SFCC 1987; Amending Section 5-8 to Establish that it is Unlawful to Trap Animals on City Property and to Establish That it is Unlawful to Use Certain Types of Trapping Devices Within the Municipal Boundaries of the City of Santa Fe. (Councilors Lindell and Bushee) (Johnny Martinez)

Committee Review:

Public Safety Committee (approved)	12/16/14
City Council (request for hearing)	01/14/15
City Council (public hearing)	02/11/15

Fiscal Impact – No

FINANCE COMMITTEE ACTION: APPROVED AS DISCUSSION ITEM

SPECIAL CONDITIONS OR AMENDMENTS

Approved with amendments.

STAFF FOLLOW-UP:

VOTE	FOR	AGAINST	ABSTAIN
COUNCILOR TRUJILLO	X		
COUNCILOR RIVERA	X		
COUNCILOR LINDELL	X		
COUNCILOR MAESTAS	X		
CHAIRPERSON DOMINGUEZ			

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

BILL NO. 2015-1

Trapping

SPONSOR(S): Councilors Lindell and Bushee

SUMMARY: The bill relates to the City of Santa Fe Animal Services Ordinance, Chapter 5 SFCC 1987. The bill proposes to amend Section 5-8 to establish that it is unlawful to trap animals on city property and to establish that it is unlawful to use certain types of trapping devices within the municipal boundaries of the city of Santa Fe.

The bill was recommended for approval by the Public Safety Committee at their December 16, 2014 meeting. At the Finance Committee meeting on January 5, 2015, the Committee recommended approval of the bill with an amendment that states that the new provision does not apply to the trapping of vermin.

PREPARED BY: Melissa Byers, Legislative Liaison

DATE: December 10, 2014

ATTACHMENTS: Action Sheets
Amendment
Bill
FIR

ACTION SHEET
ITEM FROM PUBLIC SAFETY COMMITTEE MEETING OF 12/16/14

ISSUE: Proposed ordinance relating to the City of Santa Fe Animal Services ordinance, Chapter 2 SFCC 1987; amending Section 5-8 to establish that it is unlawful to use certain types of trapping devices within the municipal boundaries of the City of Santa Fe

PUBLIC SAFETY COMMITTEE ACTION: Recommended approval

SPECIAL CONDITIONS OR AMENDMENTS:

STAFF FOLLOW UP:

VOTE	FOR	AGAINST	ABSTAIN
CHAIRPERSON DIMAS	X		
VICE-CHAIRPERSON HARRIS	X		
MEMBER MIKE MIER	X		
MEMBER NANCY OWEN-LEWIS	ABSENT		
MEMBER PETER MIZRAHI	X		
MEMBER MIKE BOWEN	ABSENT		
MEMBER ERIC JOHNSON	ABSENT		
MEMBER DAVID TRUJILLO	ABSENT		
MEMBER JOE ARELLANO	X		

DISK fc1/fcmissue

CITY OF SANTA FE, NEW MEXICO
PROPOSED AMENDMENT(S) TO BILL NO. 2015-1
Trapping

Mayor and Members of the City Council:

We propose the following amendment(s) to Bill No. 2015-1:

1. On page 1, line 19, *delete* "definition" and *insert* "new definitions" in lieu thereof
2. On page 1, line 22, *insert* the following:

Vermin means small insects and animals (such as fleas, mice, rats or gophers) that are sometimes harmful to plants or other animals and that are difficult to get rid of.

3. On page 3, line 2, after "animal." *insert* "This provision does not apply to the trapping of vermin."

Respectfully submitted,

Finance Committee

ADOPTED: _____
NOT ADOPTED: _____
DATE: _____

Yolanda Y. Vigil, City Clerk

1 CITY OF SANTA FE, NEW MEXICO

2 BILL NO. 2015-1

3 INTRODUCED BY:

4
5 Councilor Signe Lindell

6 Councilor Patti Bushee

7
8
9
10 AN ORDINANCE

11 RELATING TO THE CITY OF SANTA FE ANIMAL SERVICES ORDINANCE, CHAPTER
12 5 SFCC 1987; AMENDING SECTION 5-8 TO ESTABLISH THAT IT IS UNLAWFUL TO
13 TRAP ANIMALS ON CITY PROPERTY AND TO ESTABLISH THAT IT IS UNLAWFUL
14 TO USE CERTAIN TYPES OF TRAPPING DEVICES WITHIN THE MUNICIPAL
15 BOUNDARIES OF THE CITY OF SANTA FE.

16
17 BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF SANTA FE:

18 Section 1. Section 5-2 SFCC 1987 (being Ord. ##1979-2, § 4-2, as amended) is
19 amended to incorporate the following definition:

20 *Domestic animal* means an animal that is sufficiently tame to live with humans, such as a dog
21 or cat, or one that can be used to contribute to a family's support, such as a cow, chicken, or horse.

22 Section 2. A new Subsection 5-8.13 is ordained to read:

23 5-8.13 [NEW MATERIAL] Trapping .

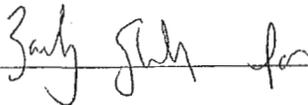
24 A. It is unlawful for any person to trap animals on city property.

25 B. It is unlawful for any person, within the municipal boundaries of the city of Santa Fe,

1 to trap any animal using strangulation snares, steel jaw traps, other body gripping traps or any trap
2 with the potential to injure, maim or kill any domestic or wild animal.

3 C. This subsection does not apply to trapping performed by government officials
4 carrying out their official duties.

5 APPROVED AS TO FORM:

6
7  _____
8 KELLEY A. BRENNAN, CITY ATTORNEY

**City of Santa Fe
Fiscal Impact Report (FIR)**

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: X Resolution: _____

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): AN ORDINANCE RELATING TO THE CITY OF SANTA FE ANIMAL SERVICES ORDINANCE, CHAPTER 5 SFCC 1987; AMENDING SECTION 5-8 TO ESTABLISH THAT IT IS UNLAWFUL TO TRAP ANIMALS ON CITY PROPERTY AND TO ESTABLISH THAT IT IS UNLAWFUL TO USE CERTAIN TYPES OF TRAPPING DEVICES WITHIN THE MUNICIPAL BOUNDARIES OF THE CITY OF SANTA FE.

Sponsor(s): Councilors Lindell and Bushee

Reviewing Department(s): City Attorney's Office / Animal Control

Persons Completing FIR: Rebecca Seligman / Johnny Martinez Date: 12/16/14 Phone: 955- 6501 / 955-2702

Reviewed by City Attorney: Kelly A. Blumman Date: 12/19/14
(Signature)

Reviewed by Finance Director: J. Martinez Date: 12-19-2014
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

The purpose of the bill is to amend the City of Santa Fe Animal Services Ordinance, Chapter 5 SFCC 1987; and Section 5-8 to establish that it is unlawful to trap animals on City property and to establish that it is unlawful to use certain types of trapping devices within the municipal boundaries of the city of Santa Fe.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

X Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
Expenditure Classification	FY 2014	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected	

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Total:	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs - Recurring or "NR" Non-recurring		

_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
Total:	\$ _____	_____	\$ _____	_____	_____	_____

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

None

Section D. General Narrative

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

No

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

It would not be unlawful to trap animals on City property nor would it be unlawful to use certain types of trapping devices within the municipal boundaries of the city of Santa Fe.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

No

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

With approval of the bill, trapping animals on City property would become unlawful and certain types of trapping devices would not be allowed for use within the municipal boundaries of the city of Santa Fe.

Form adopted: 01/12/05; revised 8/24/05; revised 4/17/08