

**CITY OF OJAI
ORDINANCE NO. 917
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY
OF OJAI, CALIFORNIA AMENDING TITLE 5 CHAPTER
4.303 OF THE OJAI MUNICIPAL CODE PROHIBITING
TRANSFER OF IMPOUNDED ANIMALS FOR MEDICAL
RESEARCH**

WHEREAS, the City recognizes that using animals for medical research is both inhumane and ineffective;

WHEREAS, there are more efficacious ways to conduct medical research; and

WHEREAS, many of the animals transferred to institutions for medical research are suitable for adoption; and

WHEREAS, the City desires to protect animals and promote responsible and ethical methods of medical research; and

WHEREAS, the City finds that transferring animals to be used in medical research and testing is an inappropriate use of the Poundmaster's time and resources.

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

SECTION 1. Findings. The City Council hereby determines that the foregoing findings are true and correct, and incorporates them herein by reference.

SECTION 2. Code Amendment. Section 5-4.303 of Article 3 of Chapter 4 of Title 5 of the Ojai Municipal Code is amended to read as follows. Additions are denoted by underlined text and deletions are denoted by struck-through text.

Sec. 5-4.303. Animals for Medical Research.

~~In addition to the authorization contained in this chapter for the disposition of impounded dogs, the~~ The Poundmaster shall may not, in his or her discretion, transfer title to any impounded animal to any person, entity, political subdivision, hospital, educational or commercial institution, laboratory, or animal dealer, whether or not such dealer is licensed by the United States Department of Agriculture or any other state or federal agency, for purposes of medical or biological teaching, research, study, or experimentation of any kind. ~~institution engaged in the diagnosis or treatment of human or animal diseases, or in research for the advancement of veterinary, dental, medical, or biologic sciences, or in the testing or diagnosis, improvement, or~~

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~~standardization of laboratory specimens, biologic products, pharmaceuticals, or drugs provided that:~~

~~(a) Such institution has the approval of the United States Department of Agriculture pursuant to the Federal Animal Welfare Act and, when applicable, the Board of Public Health of the State;~~

~~(b) Such institution and its facilities have been inspected and approved in writing by the County Health Officer at least once within twelve (12) months before delivery of the animal to it;~~

~~(c) A dog has been impounded in an animal pound for at least ten (10) consecutive days after the time for redemption has commenced; and~~

~~(d) The Poundmaster or his or her delegate shall keep a record containing a general description, the date of impoundment, the date of transfer, and the name of the transferee of each dog transferred pursuant to the provisions of this section.~~

~~— In lieu of all other fees and charges set forth in this chapter, the Poundmaster shall charge for each dog and cat or other small animal so transferred the price set by the schedule of fees adopted by the Council.~~

~~As used in this section, “institution” shall include, but not be limited to, laboratory, firm, association, corporation, copartnership, and educational institution. Neither the City nor its officers, agents, or employees shall be liable for the good faith transfer of any animal pursuant to the provisions of this section.~~

SECTION 3. 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 final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council 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, phrases or portions might be declared invalid or unconstitutional.

SECTION 4. Environmental Determination. The City Council finds that this amendment to the Municipal Code is exempt from California Environmental Quality Act (CEQA). The City Council hereby determines that that the text amendments will not have a significant effect on the environment. This Ordinance is therefore exempt from California Environmental Quality Act review pursuant to Title 14, Section 15061 (b)(3) of the California Code of Regulations.

SECTION 5. Certification. The City Clerk shall cause this Ordinance to be published once, within fifteen (15) calendar days after its passage, in the *Ojai Valley News*, a newspaper of general circulation, printed, published and circulated in the City, and shall cause a copy of this

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Ordinance and its certification, together with proof of publication, to be entered in the Book of Ordinances of the City.

SECTION 6. Effective Date. This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937.

CITY OF OJAI, CALIFORNIA .

By Betsy Stix
Betsy Stix, Mayor

6/22/21
Date signed

ATTEST:

Gail Davis
Gail Davis, Deputy City Clerk

APPROVED AS TO FORM:

Matthew T. Summers
Matthew T. Summers, City Attorney

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CITY OF OJAI)
COUNTY OF VENTURA)
STATE OF CALIFORNIA)

I, Gail Davis, Deputy City Clerk of the City of Ojai do hereby certify that the foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Ojai held on May 25, 2021 and adopted at a regular meeting held on June 8, 2021 by the following vote:

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|-----------------|---|
| AYES: | Blatz, Francina, Haney, Johnston, Weirick |
| NOES: | None |
| ABSTAIN: | None |
| ABSENT: | None |



Gail Davis
Deputy City Clerk for the City of Ojai