



ORD24-004

**AN ORDINANCE OF THE MONO COUNTY
BOARD OF SUPERVISORS AMENDING CHAPTERS 2.05 AND 9.08 OF
THE MONO COUNTY CODE TO MEMORIALIZE
TRANSITION OF THE DEPARTMENT OF ANIMAL SERVICES
INTO A DIVISION OF ANIMAL SERVICES**

WHEREAS, the Board of Supervisors has determined that the Department of Animal Services should become the Division of Animal Services and, accordingly, that the position of Director of Animal Services should become position of Animal Services Manager; and

WHEREAS, to memorialize the foregoing, an amendment to the Mono County Code (MCC) is necessary to replace all references to "Animal Services Department" or "Department of Animal Services" with "Animal Services Division" and all references to the "Animal Services Director" or "Director of Animal Services" with "Animal Services Manager"; and

WHEREAS, specifically, amendments are necessary to MCC Chapter 2.05, which enumerates all of the departments and offices of the County, including the "Department of Animal Services" and to Chapter 9.08 "Animal Services", which specifies the duties and functions of the Animal Services Department and Director;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF MONO ORDAINS that:

SECTION ONE: Chapter 9.08 of the Mono County Code is hereby revised as follows and as set forth in **Exhibit A** which is attached hereto and incorporated by this reference:

- A. Mono County Code section 9.08.010 is deleted in its entirety and shall instead read "RESERVED".
- B. All remaining references in Mono County Code Chapter 9.08 to the "Department of Animal Services" or the "Animal Services Department" shall be replaced with the term "Division of Animal Services" or "Animal Services Division", as appropriate.
- C. All remaining references in Mono County Code Chapter 9.08 to the "Director of Animal Services" or the "Animal Services Director" shall be replaced with the term "Animal Services Manager".

SECTION TWO: Section 2.05.040 of the Mono County Code is hereby amended to delete subdivision A ("Animal Services") in its entirety. All remaining subdivisions of Section 2.05.040 shall be re-lettered accordingly, as shown in **Exhibit B**, which is attached hereto and incorporated by this reference.

SECTION THREE: Any remaining references in the Mono County Code to the Department of Animal Services/Animal Services Department or to the Director of Animal

Services/Animal Services Director in the Mono County Code are hereby replaced with the terms “Animal Services Division” and “Animal Services Manager” and, until such time as the change is implemented, shall be construed to refer to the Animal Services Division and the Animal Services Manager, respectively.

SECTION FOUR: This ordinance shall become effective 30 days from the date of its adoption and final passage, which appears immediately below. The Clerk of the Board of Supervisors shall post this ordinance and also publish it in the manner prescribed by Government Code Section 25124 no later than 15 days after the date of its adoption and final passage. If the Clerk fails to publish this ordinance within said 15-day period, then the ordinance shall not take effect until 30 days after the date of publication.

PASSED, APPROVED and ADOPTED this 12th day of March 2024, by the following vote, to wit:

AYES: Supervisors Duggan, Gardner, Kreitz, Peters, and Salcido.

NOES: None.

ABSENT: None.

ABSTAIN: None.

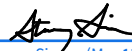

John Peters (Mar 14, 2024 17:03 PDT)

John Peters, Chair
Mono County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:




Stacey Simon (Mar 13, 2024 11:37 PDT)

Clerk of the Board

County Counsel

EXHIBIT A

Chapter 9.08 ANIMAL SERVICES

Sections:

9.08.010 RESERVED

9.08.020 Generally.

- A. The animal services manager and his or her other officers are designated as public officers and employees of the county, charged with the duty to enforce the provisions of this chapter and any law of the state relating to the care, treatment and impounding of animals, and they are authorized to issue citations for violations of said laws and provisions in accordance with Section 836.5 of the California Penal Code.
- B. Each such person, while performing his or her respective duties, shall wear a metallic badge of a size and design to be determined by the animal services manager.
- C. The animal services manager and his or her officers, when acting in the course and scope of their employment, are authorized to carry, in county vehicles, unloaded firearms or weapons of a type and caliber approved by the sheriff's department. The animal services manager and his or her officers shall receive initial and recurrent training in the use of any type of firearm or weapon approved for use by the sheriff's department, in order to establish and assure satisfactory proficiency in the use of such weapons commensurate with the safety and welfare of the general public.

9.08.030 Duties.

The animal services manager and his or her officers shall pick up and impound animals as provided in Chapters 9.04 through 9.44 of this code. They shall also enforce the provisions of Chapters 9.04 through 9.44 and any other state law or local ordinances relating to animals.

9.08.040 Fees.

The following fees are imposed, the amount of which shall be set by resolution of the board of supervisors:

- A. Redemption Fee. To redeem a dog from the pound, the amount of which shall include reasonable costs associated with of the care of dogs while impounded.
- B. Turn-in fee. When an animal is voluntarily turned in to the pound by its owner, the amount of which shall include reasonable costs associated with of the care of dogs while impounded.

9.08.050 Authority.

Whenever the animal services manager or his or her officers are authorized to take up and impound any animal under the provisions of Chapters 9.04 through 9.44, he or she shall have the authority in the exercise of a sound discretion to shoot to kill any such animal that attacks him or her while he or she is in the act of seizing it for impounding and to shoot any dog at large that has no known owner or home and which cannot be safely caught.

EXHIBIT B

Chapter 2.05 COUNTY DEPARTMENTAL STRUCTURE

Sections:

2.05.010 – County Departmental Structure

The County Departmental Structure is comprised of twenty (20) county departments as set forth in this chapter.

2.05.011 – Department Heads and Directors

Each county department is supervised by a department director or department head, who is either elected by the voters of Mono County, appointed by the Mono County Board of Supervisors, or appointed by the County Administrative Officer. The Board of Supervisors determines terms and conditions of employment.

2.05.012 – Duties and Statutory Requirements

This Chapter memorializes the county departmental structure but does not set forth the duties or statutory requirements of any county department or department director or department head. The duties and statutory requirements can be found in other chapters of this Mono County Code and/or state law.

2.05.020 – Departments Managed by Elected Department Heads

Each department listed in this Section is managed under the direction of an elected department head who serves at the pleasure of the Mono County electorate. Terms and conditions of the employees of these departments are governed by collective bargaining agreements, applicable personnel rules, and other legally binding authorities.

A. Assessor's Office

B. District Attorney's Office

C. Sheriff's Office

2.05.030 – Departments Managed by Directors Appointed by the Board

Each department or office listed in this Section is managed under the direction of a department director or department head appointed by the Mono County Board of Supervisors and serving at the pleasure of the Board. The terms and conditions of employment are set forth in a contract of employment with each individual director that is approved by the Board of Supervisors and subject to applicable law and policies. Each of these departments may contain department divisions that are subject to supervision of the department director.

A. County Administrator's Office

B. County Counsel's Office

C. Agricultural Commissioner's Office (see also, Section 2.05.050).

D. Veterans' Services Office (see also, Section 2.05.060)

2.05.040 – Departments Managed by Directors Appointed by the County Administrator

Each department listed in this Section is managed under the direction of a department director who is appointed by and serves at the pleasure of, the County Administrative Officer, as set forth in Mono County Code Section 2.84.080. The terms and conditions of employment for each department director are set forth in a contract of employment that is approved by the Board of Supervisors and by applicable policies adopted by the Board of Supervisors. These departments may contain department divisions under the supervision of the department director.

A. Behavioral Health

B. County Clerk - Recorder - Registrar of Voters - Clerk of the Board

C. Community Development

D. Economic Development

E. Emergency Medical Services

F. Finance

G. Information Technology

H. Public Health

I. Public Works

J. Social Services

2.05.050 – Office of the Agricultural Commissioner

A. The Office of the Agricultural Commissioner is managed under the direction of a department director who concurrently serves as the Agricultural Commissioner, Director of Weights and Measures and Pesticide Enforcement Officer (hereafter "Agricultural Commissioner"). Except as provided in subsection B below, the Agricultural Commissioner is appointed by the Board of Supervisors and supervised by the County Administrative Officer, with terms and conditions of employment set forth in a contract of employment approved by the Board of Supervisors and applicable law.

B. Notwithstanding subsection A above, the Agricultural Commissioner is a position that may be shared among counties in accordance with all applicable law.

C. The Agricultural Commissioner shall be an employee of either Mono County or a partner neighboring county in accordance with the terms and conditions of an agreement between those counties and in accordance with all applicable law.

2.05.060 Veterans' Services Office

A. The Veterans' Services Office is managed under the direction of the Veterans' Services Officer. Except as provided in subsection B below, the Veterans' Services Officer is appointed by the Board of Supervisors and supervised by the County Administrative Officer, with terms and conditions of employment set forth in a contract of employment approved by the Board of Supervisors and applicable law.

B. Notwithstanding subsection A above, the Veterans' Services Officer is a position that may be shared among counties in accordance with all applicable law.

C. The Veteran's Services Officer shall be an employee of either Mono County or a partner neighboring county in accordance with the terms and conditions of an agreement between those counties and in accordance with all applicable law.

2.05.070 Probation Department

A. The Probation Department is managed under the direction of the Chief Probation Officer as established by Mono County Code Section 2.48.010. Except as provided in subsection C below, the Chief Probation Officer is appointed by and serves at the pleasure of the County Administrative Officer pursuant to Section 27770(b) of the California Government Code.

B. The terms and conditions of employment for the Chief Probation Officer are set forth in an employment contract and applicable policies approved by the Board of Supervisors.

C. Notwithstanding subsection A, if a Chief Probation Officer is employed pursuant to a contract governed by Section 27770(a) of the California Government Code which was executed prior to agreement between the Administrative Office of the Courts (AOC) and Mono County providing for sole employment and supervision of the Chief Probation Officer by the County, then the Chief Probation Officer shall instead be nominated and appointed by the Presiding Judge of the County pursuant to Section 27770(a) and the Presiding Judge may remove the Chief Probation Officer for good cause, until such an agreement is entered into between the County and the AOC.

2.05.080 – Farm Advisor

A. The Mono County Farm Advisor is a position created in partnership with the University of California Cooperative Extension program. This position leverages federal, state, and local funds to assist residents in matters related to agricultural production.

B. The Mono County Farm Advisor is a position that may be shared among counties in accordance with the terms and conditions of an agreement between those counties and in accordance with all applicable law.

C. The Farm Advisor shall be an employee of either Mono County or a partner neighboring county in accordance with the terms and conditions of an agreement between those counties and in accordance with all applicable law.