

ORDINANCE NO. 2009-252

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CALABASAS AMENDING THE CALABASAS MUNICIPAL CODE REQUIRING THE REMOVAL OF ANIMAL WASTE FROM PUBLIC AND PRIVATE PROPERTIES

THE CITY COUNCIL OF THE CITY OF CALABASAS DOES ORDAIN AS FOLLOWS:

SECTION 1. CODE AMENDMENT. Chapter 6.10 is hereby added to Title 6 of the Calabasas Municipal Code to reads as follows:

**“CHAPTER 6.10
REMOVAL OF ANIMAL WASTE**

- 6.10.010 Removal of animal waste from public and private properties.
- 6.10.020 Penalties.

Section 6.10.010 Removal of animal waste from public and private properties.

A. No owner of any animal shall permit his or her animal to defecate on any public or private property within the city, other than the property of the owner of the animal, unless the owner immediately removes the animal waste.

B. No person shall permit any animal within his or her custody or control to defecate on any public or private property within the city, other than the property of either the owner of the animal or person exercising custody or control over the animal, unless the person immediately removes the animal waste.

C. Any person who walks or exercises an animal in or upon any public or private property shall have in his or her possession an appropriate means to retrieve and dispose of any animal waste discharged by the animal. This subsection shall not apply when the owner or person with custody or control over the animal walks or exercises the animal on his or her own private property.

D. No person shall dump or leave any animal waste on any public or private property; provided, however, that this provision shall not be construed to prohibit the use of manure as fertilizer for lawns and gardens in keeping with ordinary and customary practices and applicable law.

Section 6.10.020 Penalties.

Any violation of this shall be punishable as an infraction pursuant to section 1.16.020 of this code and in any other manner permitted by this code or other law.

SECTION 2. SEVERABILITY.

Should any provision, section, paragraph, sentence or word of this Ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions, sections, paragraphs, sentences or words of this Ordinance shall remain in full force and effect and, to that end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 3. EFFECTIVE DATE.

This Ordinance shall take effect thirty days after its adoption pursuant to California Government Code section 36937.

SECTION 4. CERTIFICATION.

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

PASSED, APPROVED AND ADOPTED, this ___th day of _____, 2009.

Mary Sue Maurer, Mayor

ATTEST:

Gwen Peirce, City Clerk

APPROVED AS TO FORM:

Michael G. Colantuono, City Attorney