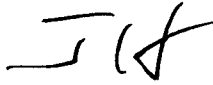


M *CBJ Law Department*
MEMORANDUM

To: Mayor and Assembly
From: John W. Hartle, City Attorney 
Subject: Ordinance No. 2009-12(d) - An Ordinance Amending the Animal Control Code
Date: October 6, 2009

At its September 21, 2009, regular Assembly meeting, the Assembly referred Ord. 2009-12(c) to a special committee for further discussion of the definition of "Competent voice control."

The committee recommended that the definition of "Competent voice control" should remain unchanged from the existing code. Accordingly, I have prepared a version (d), which includes that recommendation, deleting all amendments to existing code regarding competent voice control.

Version (d), page 3, lines 7 - 15, reads:

08.05.010 Definitions.

...

Competent voice control means when all the following are met:

- (1) The person exhibiting the voice control is present with the animal and monitors all of its activities;
- (2) The person exhibiting the voice control is capable of directing all of the animal's movements and activities by voice commands; and
- (3) The animal under voice control follows all of the vocal commands quickly and accurately.

In addition, version (d) includes a change to CBJ 08.40.020 Leash law areas, to correct an ambiguous cross-reference in the existing code at subsection (b) regarding dogs on CBJ floats, docks, and wharves. The correction makes clear that those facilities are on-leash areas. I discussed this correction with the Port Director and he agreed that it should be done.

Version (d), page 41, lines 4 - 5, reads:

08.40.020 Leash law areas.

...

(b) All City and Borough floats, ~~and docks, and municipal wharves as provided in~~
~~section 85.25.090;~~

...