



County of Fresno

Hall of Records, Rm. 301
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Fresno, California
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Legislation Text

File #: 20-1232, **Version:** 1

DATE: November 3, 2020
TO: Board of Supervisors
SUBMITTED BY: Jean M. Rousseau, County Administrative Officer
SUBJECT: Revisions to Ordinance Code Language

RECOMMENDED ACTION(S):

- 1. Conduct second hearing on and adopt Ordinance to revise language in Section 9.04.030 of Chapter 9.04 of Title 9 - Animals; waive reading of Ordinance in its entirety;**
- 2. Conduct second hearing on and adopt Ordinance to revise language in Section 11.40.070 of Chapter 11.40 of Title 11 - Vehicles and Traffic; waive reading of Ordinance in its entirety; and**
- 3. Conduct second hearing on and adopt Ordinance to revise language in Section 13.24.010 of Chapter 13.24 of Title 13 - Roads, Parks, Other Public Spaces; waive reading of Ordinance in its entirety.**

There is no additional Net County Cost associated with the recommended actions, which will update the language in various Ordinance Codes to comply with the Americans with Disabilities Act (ADA) requirements. Additionally, a change is recommended to allow sitting Members of the Board of Supervisors and their Assistants with a concealed carry weapon license (CCW) to carry firearms on County property and within County facilities and Agriculture Department employees authorized by the Agricultural Commissioner to carry firearms based on their required duties. The changes to the Ordinance Codes shall be in effect in thirty days if adopted by your Board. This item is countywide.

ALTERNATIVE ACTION(S):

Your Board may choose to not update the Ordinance Codes and the language will remain out of date.

FISCAL IMPACT:

The first recommended action has a fiscal implication in that the additional language to Section 9.04.030 of Chapter 9.04 of Title 9 - Animals, states that no license fee for assistance dogs or other service animals shall be required. However, it is anticipated approval of the recommended language will have a negligible fiscal impact.

DISCUSSION:

On August 4, 2020, your Board approved a Plan of Action for development of a Transition Plan as required by Title II of the ADA. The ADA requires the County of Fresno to conduct self-evaluations and subsequently complete a Transition Plan. As part of this process, staff is reviewing and revising County policies with outside counsel, Hanson Bridgett, for compliance with ADA as necessary. The recommended actions before your Board represent updated language to Ordinance Codes as follows:

- Section 9.04.030 of Chapter 9.04 of Title 9 - Animals - adds language that there shall be no license fee required for assistance dogs or other service animals;

- Section 11.40.070 of Chapter 11.40 of Title 11 - Vehicles and Traffic - updates language reference to persons with disabilities; and
- Section 13.24.010 of Chapter 13.24 of Title 13 - Roads, Parks, Other Public Spaces - updates language for assistance dogs or other services animals.

Additionally, language has also been added to Section 13.24.010 to allow sitting Members of the Board of Supervisors and their Assistants with a CCW license to carry a firearm on County property and within County facilities and the Agricultural Commissioner to authorize specific employees to carry a firearm in performance of their official duties. Currently the process to allow for this is the Commissioner sends the County Administrative Officer a letter on a yearly basis requesting approval for specific Wildlife Damage Specialists to carry a firearm.

The first hearing for these changes was on October 20, 2020. The recommended changes to the Ordinance Codes will be effective in thirty days if adopted by your Board today. It should be noted staff is currently in the process of reviewing and revising Administrative Policies and associated Management Directives for compliance with the ADA, as needed.

OTHER REVIEWING AGENCIES:

Hanson Bridgett, LLP

REFERENCE MATERIAL:

BAI #30, August 4, 2020
BAI #5, October 20, 2020

ATTACHMENTS INCLUDED AND/OR ON FILE:

Ordinances

CAO ANALYST:

Samantha Buck