

Attachment 1

ORDINANCE XXXX

**AN ORDINANCE OF THE CITY OF EL PASO DE ROBLES, CALIFORNIA,
AMENDING TITLE 8 (ANIMAL CONTROL) OF THE EL PASO DE ROBLES MUNICIPAL CODE TO UPDATE
EXISTING ANIMAL CONTROL REGULATIONS AND ADOPT BY REFERENCE TITLE 9 (ANIMALS) OF THE SAN
LUIS OBISPO COUNTY CODE WITH CERTAIN CHANGES AND AMENDMENTS THERETO AND FINDING
THE ACTION NOT SUBJECT TO CEQA**

WHEREAS, the City of El Paso de Robles, California (“City”) is a municipal corporation, duly organized under the California Constitution and laws of the State of California;

WHEREAS, Title 8 of the El Paso de Robles Municipal Code currently sets forth the animal control regulations applicable within the City;

WHEREAS, the Division of Animal Services (“Division”) for the County of San Luis Obispo (“County”) was established to provide animal care and control functions relating to the care, keeping, and management of animals within the County;

WHEREAS, the City contracts with the Division for the provision of animal control services within the City and the Division works in conjunction with the City’s Police Department and other City personnel to administer such services and enforce animal control regulations within the City’s boundaries;

WHEREAS, in order to assist the Division in the uniform administration of animal control services, the City previously amended its Municipal Code to substantially conform to the animal control regulations set forth in Title 9 of the San Luis Obispo County Code;

WHEREAS, in 2023, the County updated Title 9 of its Code to enhance animal control regulations, including amendments to licensing requirements, public safety standards, and enforcement measures;

WHEREAS, the City has reviewed these updates and now seeks to amend Title 8 of the El Paso de Robles Municipal Code to incorporate by reference Title 9 of the San Luis Obispo County Code to ensure alignment with regional animal control standards and maintain the Division’s jurisdiction for services within the City while tailoring certain provisions to address the specific needs of the City, as set forth in the proposed Ordinance attached hereto as Exhibit “A”;

WHEREAS, in accordance with Government Code section 50020 et seq., the City, after the first reading of the title of the adopting ordinance and of the title of the code to be adopted, will schedule a public hearing for this Ordinance; and

WHEREAS, any and all other legal prerequisites relating to the adoption of this Ordinance have occurred.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF EL PASO DE ROBLES ORDAINS AS FOLLOWS:

SECTION 1. Recitals. The City Council hereby finds that the foregoing recitals are true and correct and are incorporated herein as substantive findings of this Ordinance.

SECTION 2. CEQA. The City Council finds that this Ordinance is not subject to the California Environmental Quality Act (“Public Resources Code section 21000 et seq.”) (“CEQA”) because it does not qualify as a “project” under CEQA. The State CEQA Guidelines provide that “[a]n activity is not subject to CEQA if ... the activity is not a project as defined in Section 15378.” (State CEQA Guidelines, § 15060(c).) The Ordinance does not qualify as a “project” as defined in State CEQA Guidelines section 15378 for at least two different reasons: First, Section 15378 defines a project

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as an activity that “has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.” (State CEQA Guidelines, § 15378(a).) Here, the Ordinance merely updates existing animal control regulations to enhance clarity, enforcement, and administration of animal control services within the City. Such actions will not result in a direct or reasonably foreseeable indirect physical change in the environment. Accordingly, the Ordinance is not a “project” subject to CEQA. (State CEQA Guidelines, § 15060(c)(2).) Second, Section 15378 explicitly excludes from its definition of “project” the following: “organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.” (State CEQA Guidelines, §§ 15378(b)(5); 15060(c)(3).) Here, the Ordinance constitutes an organizational or administrative activity that will not result in a physical change in the environment for the same reasons above, and it therefore is not subject to CEQA.

SECTION 3. Municipal Code Amendments. The City Council desires to adopt the proposed Ordinance, attached hereto as Exhibit “A” and incorporated herein by this reference, amending Title 8 (Animal Control) of the El Paso de Robles Municipal Code in its entirety.

SECTION 4. Severability. If any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, it shall not affect any remaining provision hereof. The City Council of the City of El Paso de Robles hereby declares that it would have adopted this Ordinance despite any partial invalidity of its provisions.

SECTION 5. Effective Date. This Ordinance shall take effect thirty (30) days after its final passage and adoption.

SECTION 6. Record of Proceedings. The documents and materials associated with this Ordinance that constitute the record of proceedings on which these findings are based are located at 1000 Spring Street, Paso Robles, California 93446. The City Clerk is the custodian of the record of proceedings.

SECTION 7. Certification. The City Clerk is directed to certify the passage and adoption of this Ordinance; cause it to be entered into the City’s book of original ordinances; make a note of the passage and adoption in the records of this meeting; and, within fifteen (15) days after the passage and adoption of this Ordinance, cause it to be published or posted in accordance with California law.

INTRODUCED at a regular meeting of the City Council held on April 1, 2025, for first reading by the City Council of the City of El Paso de Robles, and adopted on _____, 2025, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

John R. Hamon, Jr., Mayor

ATTEST:

Melissa Boyer, City Clerk