

CITY OF OJAI

ORDINANCE NO. 951

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF OJAI,
CALIFORNIA ADDING A NEW CHAPTER 16, ENTITLED "USE AND
SALE OF GLUE TRAPS" TO TITLE 5 OF THE OJAI MUNICIPAL
CODE.**

WHEREAS, in accordance with evolving standards of morality, scientific discovery, and human experience the Ojai City Council recognizes animal rights to prevent unnecessary suffering due to glue traps; and

WHEREAS, it is desirable to the City whenever possible to protect the public health and welfare, including local wildlife, all of which increases the sustainability and quality of life for Ojai's residents and visitors.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF OJAI DOES ORDAIN AS FOLLOWS:

SECTION 1. Recitals. The above set forth recitals and findings are true and correct and incorporated herein by reference, as if set forth herein in full.

SECTION 2. Code Amendment. A new Chapter 16 is hereby added to Title 5 of the Ojai Municipal Code, to read as follows:

Chapter 16: USE AND SALE OF GLUE TRAPS

Section 5-16.101. Definitions.

For the purposes of this chapter, certain words and phrases are defined as follows:

- (a) "Animal" as used in this chapter shall mean any vertebrate or invertebrate animal, such as rodents, birds, reptiles, and insects.
- (b) "Glue Trap" shall mean a device that is designed to, or is capable of being used to, capture any animal by means of an adhesive substance or similar viscid substance.
- (c) "Person" includes a natural person, a corporation, a partnership, limited partnership, or other unincorporated association, a general partner of a partnership or limited partnership, a limited liability company, a public entity, a trust, or any other corporate form cognizable under California law.
- (d) "Sell" or "sale" shall mean any transfer, exchange, barter, gift, offer for sale or distribute for a commercial purpose in any manner or by any means whatsoever.

Section 5-16.102. Prohibitions.

- (a) It is unlawful to sell, offer for sale, or display for sale, glue traps within the City of Ojai.
- (b) It is unlawful to set, place, or otherwise use a glue trap or permit another person to set, place or use a glue trap to capture or kill any animal within the City of Ojai.

Section 5-16.103. Enforcement.

- (a) Peace officers, code enforcement officers, and other persons designated by the City Manager shall enforce this chapter. The City Manager may publish written regulations in the manner required by law for the publication of ordinances and may take any and all other actions rational and necessary to enforce this chapter.
- (b) Any person violating any provision of this chapter shall be guilty of an infraction as provided in Title 1, Chapter 2, Section 1-2.03 of this Code.
- (c) In addition to any other remedies available by law and under this Code, a violation of this chapter is subject to the administrative enforcement provisions of Section 1-2.03 of this Code.
- (d) The remedies specified in this chapter shall be cumulative and the City may resort to any other remedy available at law or in equity and resort to any one remedy shall not cause an election precluding the use of any other remedy with respect to a violation.
- (e) The City Attorney may seek injunctive, legal, or other equitable relief to enforce this chapter.

SECTION 3. Environmental Determination. The City Council determines that the following findings and conclusions reflect the independent judgment of the City Council. The City Council finds that the adoption of the foregoing amendment to the Ojai Municipal Code is exempt from the California Environmental Quality Act (CEQA) for the following independent reasons:

- a. This ordinance is not a project within the meaning of Section 15378 of Title 14 of the State CEQA guidelines because prohibiting the use and sale of glue traps within Ojai has no potential for resulting in direct or indirect physical change in the environment, as other forms of rodent control remain available.
- b. The approval of this ordinance does not constitute a project under CEQA pursuant to Section 15378(b)(5) of the State CEQA Guidelines, which provides that organizational and administrative activities of governments that will not result in the physical change in the environment are not considered projects for CEQA purposes.
- c. This ordinance is exempt from CEQA under Section 15308 of Title 14 of the State CEQA guidelines, as it is an action taken by a regulatory agency to assure the maintenance, restoration, enhancement, or protection of the environment.

SECTION 4. Severability. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held to be invalid or unconstitutional by the final decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council declares that it would have adopted this Ordinance, and each section, subsection, sentence, clause, phrase or portion thereof, irrespective of the fact that any one or more sections, subsections, phrases or portions might be declared invalid or unconstitutional.

SECTION 7. Effective Date. This Ordinance shall take effect 30 days after its passage and adoption pursuant to California Government Code Section 36937.

SECTION 8. 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.

CITY OF OJAI, CALIFORNIA

By Betsy Stix

Betsy Stix, Mayor

ATTEST:

Cal Alameda
City Clerk, City of Ojai

APPROVED AS TO FORM:

Matthew T. Summers
Matthew T. Summers, City Attorney

STATE OF CALIFORNIA)
COUNTY OF VENTURA)
CITY OF OJAI)

I, Weston Montgomery, Deputy City Clerk of the City of Ojai do hereby certify that the foregoing Ordinance was introduced at a meeting of the City Council of the City of Ojai held February 27, 2024 and adopted at a meeting of the City Council of the City of Ojai held March 12, 2024 by the following vote:

AYES: **STIX, WHITMAN, RULE, LANG, FRANCINA**

NOES: **NONE**

ABSTAIN: **NONE**

ABSENT: **NONE**

Cal Alameda
City Clerk, City of Ojai