Before the Board of Supervisors
County of Placer, State of California

In the matter of:

Ord. No.: _____

An Ordinance Amending Placer County Code. Chapter 6, Animals

FIRST READING: August 23, 2011
SECOND READING: _____

The following **Ordinance** was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held _____, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

_____
Chairman, Board of Supervisors

Attest:
Clerk of said Board

_____
Ann Holman

THE BOARD OF SUPERVISORS OF THE COUNTY OF PLACER, STATE OF CALIFORNIA, DOES HEREBY ORDAIN THAT THE PLACER COUNTY CODE CHAPTER 6, ANIMALS, IS AMENDED AS FOLLOWS:

SECTION 1: Article 6.04, Section 6.04.020 is deleted in its entirety and replaced with the following:

"6.04.020 Definitions.

As used in this chapter:
"Animal" means any domesticated animal, including canines, felines, horses, donkeys, mules, burros, cattle, sheep, goats, pigs, rabbits, birds or any other animal kept as a pet or for commercial purposes.
"Animal control officer" means a person employed by the county and duly authorized by the Director of Animal Services and the state of California to enforce laws dealing with animals existing within the unincorporated territories of the county and those incorporated areas which may, from time to time, contract with the county for services.
"Animal services" means that section of the county government which is specifically charged with the regulation of, and the enforcement of laws dealing with

animals existing within the unincorporated territories of the county and incorporated areas thereof which may, from time to time, contract with the county for such services. Animal services is a division of the county department of health and human services.

"Animal services center" means the facilities provided by the county for impounding of animals.

"At large" means an animal off the premises of its owner and not under restraint by lead, leash or adequate enclosure. The following exceptions shall apply to the provisions of this subsection:

A. A dog shall not be considered to be at large if it is assisting its owner or person in charge of livestock in herding, guarding or controlling livestock;

B. A dog shall not be considered at large if it is assisting a peace officer engaged in law enforcement duties;

C. A dog shall not be considered at large if it is enrolled in and actually participating in a dog training or obedience class, exhibition or competition conducted by an organization on private or public property with the permission of the owner or operator of the grounds or facility;

D. A dog shall not be considered at large when it is accompanying and under the direction of a person engaged in legal hunting activities.

For animals other than dogs, it also means any unattended animal not confined by an adequate fence or restrained in a manner appropriate for the species of animal. An adequate fence is any fence which is good, strong, substantial and sufficient to prevent the ingress and egress of livestock.

"Director of animal services" means the person designated by the county director of health and human services as the director of animal services or animal services manager for the county of Placer and duly authorized animal control officers.

"Director of health services" means the director of the department of health and human services of the county.

"Health department" means the department of health and human services for the county.

"Health officer" means the public health officer of the county and any health department employee or other person duly authorized by the health officer to act on his or her behalf.

"Impoundment" means the taking up and confining of an animal by the director of animal services in a manner consistent with recognized standards of humane treatment.

"Kennel" means any enclosure, building, or structure where dogs of at least four months of age are kept, harbored or maintained, in a confined manner for commercial or noncommercial purposes. A kennel license shall be issued to individuals who breed or offer for sale more than two litters of dogs per year or board and/or train dogs.

"Owner" means a person who possesses, has title to or an interest in, harbors, or has control, custody or possession of an animal, and the verb form of "to own" includes all these shades of meaning.

"Person" means fictional entities such as corporations, estates, associations, partnerships and trusts, as well as one or more individual human beings.

"Vaccination" means the inoculation of a dog with a vaccine approved by and in the manner prescribed by the State Department of Public Health.

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"Veterinarian" means a person licensed by the state of California to practice veterinary medicine."

SECTION 2: Article 6.04, Section 6.04.030 is amended as follows:

"**6.04.030 Jurisdiction.**

The animal ~~control~~ **services** center, the director of animal ~~control~~ **services** and other related personnel shall be under the direction and supervision of the director of health services."

SECTION 3: Article 6.04, Section 6.04.050 is amended as follows:

"**6.04.050 Responsibility.**

The director of animal ~~control~~ **services** is responsible for the enforcement of this law, and all laws of the state of California pertaining to the control of dogs and other animals and the humane treatment of animals, and his or her duties shall include, but not be limited to the following:

A. To administer the animal ~~control~~ **services** center and keep such records as may be required by the board of supervisors and director of health services.

B. To take up and impound animals which are in violation of this chapter.

C. To remove and dispose of the carcass of any animal found on any public highway, street, alley or other public place within the county jurisdiction.

D. To quarantine animals and to cooperate with the county health officer.

E. To administer licensing programs as provided for herein.

F. To ~~administer~~ **assure that** rabies **vaccination** clinics **are available**. ~~(Prior code § 3.40)"~~

SECTION 4: Article 6.04, Section 6.04.060 is amended as follows:

"**6.04.060 Dogs killing livestock.**

The director of animal ~~control~~ **services** may kill any dog found in the act of killing, wounding or persistently pursuing or worrying livestock or poultry on land or premises which are not owned or possessed by the owner of the dog."

SECTION 5: Article 6.04, Section 6.04.070 is amended as follows:

"**6.04.070 Rules and regulations.**

The director of animal ~~control~~ **services** may formulate rules and regulations in conformity with, and for the purposes of carrying out the intent of this chapter and compliance with such rules and regulations shall be prerequisite to the issuance and continued validity of any license or permit provided."

SECTION 6: Article 6.04, Section 6.04.080 is amended as follows:

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"6.04.080 Authority to carry firearms.

The director of animal ~~control~~ **services** and such animal control officers as he or she may specifically designate in writing are authorized to carry firearms when acting in the course and scope of their employment pursuant to Section 12031 of the Penal Code of the state of California."

SECTION 7: Article 6.04, Section 6.04.100 is amended as follows:

"6.04.100 Authority to use tranquilizers.

In performance of his or her duties the director of animal ~~control~~ **services** shall have the authority to employ the use of the tranquilizer gun and all animal control devices in common use within the state."

SECTION 8: Article 6.04, Section 6.04.110 is amended as follows:

"6.04.110 Authority to enter property.

The director of animal ~~control~~ **services** may, in the performance of his or her duties, enter upon any property pursuant to law to ascertain if any of the provisions of this chapter are being violated."

SECTION 9: Article 6.04, Section 6.04.120 is amended as follows:

"6.04.120 Authority to pursue.

In the performance of his or her duties, the director of animal ~~control~~ **services** shall have the authority, when in pursuit of an animal which is in violation of a provision of this chapter, to go on the property of the owner or that of a third person for the purpose of impounding the animal, provided that in the course of such pursuit the director shall exercise reasonable care to avoid causing damage to the property."

SECTION 10: Article 6.04, Section 6.04.130 is amended as follows:

"6.04.130 Summary action.

Notwithstanding any other provisions of this chapter, if, in the judgment of the director of animal ~~control~~ **services**, ~~with the concurrence of the director of health services,~~ a**n** animal found to be at large is unfit, ~~and of no further use,~~ dangerous, injured, or ill and should be destroyed, the director of animal ~~control~~ **services** may, at any time, in a humane manner, destroy such animal."

SECTION 11: The Board hereby deletes Section 6.04.140 in its entirety and replaces it as follows:

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~~**6.04.140 Animals causing property damage.**~~

~~If any person has any loss or damage to property, livestock or poultry, which is caused by animals, the person may file a complaint in writing with the director of animal control. Such complaint shall state when and where the damage occurred, how much damage was done and, if known, the name of the person who owns the animal(s) or the custodian in charge. The director of animal control shall investigate the complaint and if the director finds such conditions to exist, he or she may issue an order to conform requiring said owner or custodian to abate such conditions within a reasonable length of time. (Prior code § 3.70)~~

"6.04.140 Waiver of fees under this Chapter.

Notwithstanding any other provision of this article, the Director of Health Services or his/her designee shall have the power to waive all or any portion of the fees prescribed in this Chapter and in Section 2.116.130 of this Code when the Shelter is at over 80% capacity in order to encourage and promote pet adoptions as needed in order to maintain acceptable numbers of animals within the County shelters, or when necessary to encourage and promote adoptions of medically fragile or elderly pets."

SECTION 12: Article 6.08 is deleted in its entirety and replaced with the following:

"Article 6.08

ANIMAL CONTROL REGULATIONS GENERALLY

6.08.010 Violations.
6.08.020 Nuisance – Excessive dog barking.
6.08.030 Potentially dangerous or vicious dogs – Generally.
6.08.040 Potentially dangerous or vicious dogs – Petition, Notice, Hearing Procedures, Order.
6.08.050 Conditions of ownership of a dog deemed potentially dangerous or vicious.
6.08.060 Other Dangerous Animals.
6.08.070 Taking up of Stray Animals.
6.08.080 Disposal of Dead Animals over 50 Pounds.

"6.08.010 Violations.

It is unlawful for the owner of any animal to violate any of the provisions of this chapter hereinbefore or hereinafter set out, or to commit any of the following acts:

A. To allow any animal to run at large.

B. To allow any animal to trespass upon public property or upon any private property without the consent of the owner of the property.

C. If unauthorized, to remove from any dog any collar or harness or other device to which a license tag is attached, for the current year, or to remove such license tag there from.

D. To attach to, or keep upon, or cause or permit to be attached to or kept upon any dog any license tag provided by this chapter, except a tag issued for such dog under the provisions of this chapter, or to attach to or keep upon, or cause or permit to be attached to or kept upon any dog, or to make or to cause or permit to be made, or to have in possession, any counterfeit or imitation of any tag provided for by this chapter.

E. To possess any unlicensed dog in the county, or to maintain, conduct or operate, or to cause or permit to be maintained or operated in the county, any unlicensed dog kennel.

F. To interfere with, oppose or resist the director of animal services or any animal control officer while he or she is engaged in the performance of any act authorized by this chapter.

G. To allow any female dog to run at large while in heat or breeding condition or to allow such female to remain accessible to other dogs running at large while said female is in heat or breeding condition.

H. To permit any dog to trespass on any farm where livestock or domestic fowl are kept.

I. To abandon any animal in Placer County.

J. To possess any dog over four months of age which does not have a current vaccination for rabies as evidenced by an official certificate thereof, except as otherwise provided in this chapter.

K. To allow any animal to go without adequate food, water, shelter or proper care.

L. To allow any dog known to be potentially dangerous or vicious to run at large upon any street or other public place within the county.

M. Failure of an owner of a dog to comply with the conditions and obligations of ownership of a potentially dangerous or vicious dog as set forth above and below, and as deemed necessary by the hearing officer, may result in the imposition of penalties consistent with Section 31662 of the Food and Agricultural Code and any other penalties or fines consistent with federal, state or this County's Code.

6.08.020 Nuisance – Excessive dog barking.

A. It is unlawful for any person to own, possess, harbor, control, or keep on any premises any dog that barks or howls so continuously or incessantly as to unreasonably disturb the peace and tranquility of the neighborhood. Commercial dog kennels, permitted by zoning law where located, are subject to dog barking nuisance laws as well as other applicable County codes. Working dogs who bark while actively herding or participating in standard farming practices, as determined by the Agricultural Commissioner, shall be exempt from this section. Animal services is responsible for enforcement of the provisions of this section.

B. For purposes of this section, evidence that the dog has barked or howled for an aggregate period of twenty (20) minutes out of one hour shall be sufficient for conviction. If the first nuisance barking or howling complaint is determined to be

provoked by any other animal or nearby pedestrian(s), it may be excluded from the aggregate time if the owner (1) provides documentation that the provocation exists and cannot be avoided and (2) takes remedial steps to change the environment of the dog(s) and abate the nuisance within a six-month period from the date of the complaint.

C. For purposes of this section, evidence that two or more dogs are provoking each other to bark, shall be sufficient for conviction under this section, so long as the barking continues for an aggregate twenty (20) minutes out of one hour, regardless of which dog commenced the barking. In such instance, owners of each dog involved shall be subject to citation.

Proof that any individual dog barked for an aggregate twenty (20) minutes out of an hour shall not be required if it is shown that the barking of the two or more dogs was continuous sequentially or in concert for a twenty (20) minute period.

D. Upon receipt of any complaint based on continuous or incessant barking or howling, an animal control officer shall investigate and take a report from any complaining witness.

E. Upon evaluation of the report, if in the opinion of the animal control officer a valid complaint exists, the officer shall contact the owner of the animal complained about and advise the owner of the existence of the complaint, and instruct the owner to abate the nuisance.

F. If a second complaint is received within a six month period after the giving of such notice and warning regarding a dog barking or howling incessantly and continuously, the animal control officer shall investigate the second complaint and take a report from any complaining witness.

G. Upon evaluation of the report, if in the opinion of the animal control officer the dog is creating a nuisance by barking or howling incessantly or continuously, the animal control officer shall issue a citation to the owner of said animal for a violation of this section. Such violation shall be an infraction. Personal appearance before the court shall be mandatory. Forfeiture of bail shall not constitute a resolution of a violation of this section.

H. If the animal control officer receives a third complaint regarding the same animal within one year from the first complaint, the officer shall repeat the process set forth in subsections F and G of this section.

I. If the owner of the dog at the time of the issuance of any citation has been convicted of a violation of this section, or has pled no contest to such violation, on two or more occasions within twelve months from the time of the issuance regarding the same dog, the violation(s) of this section shall be a misdemeanor.

J. If the animal control officer receives a complaint after one year or more has elapsed since the most recent prior complaint, the officer shall issue a warning and continue pursuant to subsections D through H of this section.

K. The penalty for conviction of an infraction based on this section shall be a fine of one hundred dollars ($100.00).

L. The penalty for conviction of a misdemeanor based on this section shall be a maximum of six months in jail and/or a fine of five hundred dollars ($500.00), and shall be applied to each subsequent conviction occurring within two years of the previous resolution. Upon conviction, the owner shall be required to either remove the dog from

the premises or comply with such other restrictions as deemed necessary by the Director of Animal Services.

M. Nothing in this section shall be construed to prevent any party from bringing a civil action to abate the nuisance.

6.08.030 Potentially dangerous or vicious dogs – Generally.

A. Purpose.

California Food and Agricultural Code Section 31621 authorizes the establishment of an administrative hearing procedure to hear and dispose of petitions filed to determine whether or not a dog should be declared potentially dangerous or vicious. The provisions of this section set forth the procedures by which a dog can be found to be a potentially dangerous dog or a vicious dog, thereby becoming subject to appropriate controls and other actions. This section is intended to supplement rather than supplant any other remedy available under state statute or county ordinance.

B. Definitions.

For purposes of this section and in addition to those definitions set forth in Section 6.04.020, the following definitions shall apply:

1. "Potentially dangerous dog" means any of the following:

a. Any dog, which, when unprovoked, on two separate occasions engages in any behavior that requires a defensive action by any person to prevent bodily injury when the person and the dog are off the property of the owner of the dog;

b. Any dog, which, when unprovoked, bites a person causing a less severe injury than as defined in Section 31604 of the Food and Agricultural Code;

c. Any dog, which, when unprovoked, has killed, seriously bitten, inflicted injury or otherwise caused injury by attacking an animal off the property of the owner or of the dog;

2. "Vicious dog" means any of the following:

a. Any dog seized under Section 599aa of the Penal Code and upon the sustaining of a conviction of the owner under subdivision (a) of Section 597.5 of the Penal Code;

b. Any dog which, when unprovoked, in an aggressive manner, inflicts severe injury on or kills a human being;

c. Any dog previously determined to be and currently listed as a potentially dangerous dog, which, after its owner has been notified of this Order, continues the behavior described in subsection (B)(1) of this section or is maintained in violation of Sections 31641, 31642 or 31643 of the California Food and Agricultural Code.

3. "Severe Injury" means any physical injury to a human or animal that was directly caused by a dog attack that results in muscle tear(s), puncture(s), dislocation(s), broken bone(s) or disfiguring laceration(s) or which requires the suturing of a wound, corrective or cosmetic surgery and hospitalization for any of the aforementioned conditions as defined under Section 31604 of the California Food and Agricultural Code.

4. "Defensive Action" means moving in such a way as to protect one's self or others from bodily harm as a reasonable person would perceive necessary to do so.

C. Exemption.

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This section does not apply to any dog owned by any government agency which is used in the performance of law enforcement duties and any circumstances under which dogs may not be declared potentially dangerous or vicious as defined within Section 31626 of the Food and Agricultural Code."

6.08.040 Potentially dangerous or vicious dogs - Petition, Notice, Hearing Procedures, Order.

If the director of animal services has investigated and determined that there exists probable cause to believe that a dog is potentially dangerous or vicious as defined by this section, the director or his/her designee shall prepare a petition and notice of a hearing for the purpose of determining whether or not the dog in question should be declared potentially dangerous or vicious. If the director determines that there is probable cause to believe that the animal poses an immediate threat to public safety then the dog may be impounded and held pursuant to Food and Agricultural Code Section 31625.

A. Petition

The director or his/her designee shall prepare a petition summarizing his or her investigation, and specifying the basis as to why there is probable cause to believe that the dog is potentially dangerous or vicious, and shall include a statement of the evidence that supports such conclusion.

B. Notice

1. The director or his/her designee shall provide written notice to the owner of the dog of the specific behavior of the dog alleged in the petition, the date, time and place when a hearing will be held to consider the petition, the consequences of failing to appear and of a finding of potentially dangerous or vicious. A copy of the petition shall be provided to the owner at the time that notice is served.

2. Notice pursuant to this section shall be personally served on the owner or by first-class mail. When the owner's whereabouts cannot be ascertained or his/her address is unknown, notice of the hearing shall be given by publication in a newspaper of general circulation. Notice shall then be deemed given on publication of the notice.

C. Hearing

1. A hearing conducted pursuant to this section shall be held within no less than five (5) working days, nor more than fifteen (15) working days after service of notice upon the owner of the dog.

2. The hearing shall be open to the public.

3. The hearing shall be conducted by a hearing officer designated by the Director of the Department of Health and Human Services, or his/her designee.

4. The hearing officer shall not be bound by strict adherence to the formal rules of evidence, including but not limited to sworn testimony, sworn affidavits of witnesses and incident reports, circumstances of mitigation and the record of any prior violations of this section by the owner. At such hearing, the owner shall have the right to testify, to be represented by counsel, to present witnesses on his or her own behalf, to cross-examine all other witnesses, and present relevant oral and written documents and relevant evidence on the issue.

5. All witnesses shall testify under oath or affirmation. The oath shall be administered by the hearing officer. The hearing officer may, when appropriate, request the production of oral or documentary evidence which is reasonably necessary and relevant to conduct the hearing. All proceedings shall be electronically or digitally recorded.

6. The hearing may be continued if the hearing officer deems it necessary and proper or upon a showing of good cause.

7. If the owner fails to appear at the hearing, the owner shall be deemed to have waived his or her right to present evidence or testify and the hearing officer may nevertheless proceed with the hearing or elect to take the matter under submission based on the evidence submitted at the hearing in order to render a decision and Order.

D. Written Order After Hearing

1. The hearing officer shall issue a written Order summarizing and based upon whether, by a preponderance of the evidence presented at the hearing, the dog is determined to be potentially dangerous or vicious within 15 calendar days of the hearing.

2. Service of the Order and any order issued shall be made upon the owner of the dog pursuant to subsection 6.08.040 (B)(2).

3. The Order shall require the following:

a. If a dog is found to be potentially dangerous or vicious by a preponderance of the evidence, the dog shall be so designated on the records of animal services. Such a designation shall be considered if there are future incidents triggering an investigation under this Section involving the dog.

b. Ownership of a dog found to be potentially dangerous is subject to those conditions set forth in Section 6.08.050 A through D.

c. A dog determined to be a vicious dog shall be destroyed by the department when it is found, by a preponderance of the evidence after the hearing conducted pursuant to this section, that the release of the dog would create a significant threat to the public health, safety and welfare. If the dog is not ordered to be destroyed, then vicious dog ownership conditions found in Section 6.08.050 (E) shall apply.

4. The Order of the hearing officer shall be final with no further administrative appeal. The Order of the hearing officer may be appealed to the Superior Court."

6.08.050 Conditions of ownership of a dog deemed potentially dangerous or vicious.

A. The owner of a dog that has been determined to be potentially dangerous or vicious shall, in addition to the regular licensing, register the dog with Animal Services as "potentially dangerous" or "vicious". The owner is required to pay all applicable fees, including costs attributed to the administrative process described in this Section. This obligation shall be completed within thirty (30) days of the issuance of the Order.

B. All charges for services performed by the department pursuant to this section and all fines shall be paid prior to the release of the dog to its owner. If said charges and fines are not paid within thirty (30) days after the date the services are performed or the fines are ordered to be paid, the dog (if held by the Department) shall be deemed to be abandoned to the department.

C. Within thirty (30) days of the Order that the dog is potentially dangerous or vicious, or prior to release of the dog , if the dog has been impounded under this section,

the owner of the dog shall, at the owner's sole expense, complete the following and deliver proof of the same to Animal Services:

1. Have the dog spayed or neutered, and have the dog micro chipped.

2. Provide an enclosure, meaning a fence or structure suitable to prevent the entry of young children, and that is approved by the Director of Animal Services to confine a potentially dangerous or a vicious dog. The enclosure shall be designed to prevent the dog from escaping and shall afford the dog with an adequate exercise area and shelter from the elements as well as provide the dog with food and water.

3. Notify all contiguous property owners that the dog at the premises has been determined to be potentially dangerous or vicious within seven (7) calendar days of such Order. Proof of such notice shall be provided to the Department upon request.

4. The dog must complete an obedience course with its owner, at the owner's expense, within sixty (60) days after release of the dog to its owner or the date of the Order. The course shall be a course approved by the department. The owner shall submit proof of completion of such course within seventy (70) days after release of the dog to its owner or the date of the Order.

5. The dog shall be maintained under the immediate control of a responsible adult by a substantial leash appropriate for the size of dog and no more than six feet in length when off of the property of the owner. Such adult shall not supervise any other animal when handling such dog off of that dog's property.

6. The dog shall wear a muzzle of a type specified by the director of animal services at any time that it is off of its owner's property.

7. The owner of the dog shall notify the department immediately in the event the dog is at large, or has committed an attack on any person or animal, has been sold or otherwise disposed of, or has died.

8. The dog shall be required to wear a collar visible at 50 feet in normal daylight that will be provided by the department at the owner's expense.

D. Other conditions of ownership of a potentially dangerous dog that may be imposed by the hearing officer.

1. The owner of the dog may be required to maintain general liability insurance covering property damage and bodily injury caused by a potentially dangerous or vicious dog, with a combined single limit of $300,000.00 per occurrence, and may be required to show proof of such insurance within thirty (30) days after the Order.

2. The hearing officer may impose such other reasonable conditions as are deemed necessary to protect the public safety and welfare.

E. If a dog is determined to be vicious and is not euthanized, all of the Conditions of Ownership described in section 6.08.050 A through D shall apply and, in addition, the following conditions apply:

1. The owner of a vicious dog must give written notice of the vicious dog Order to the United States Post Office (local branch) and all utility companies which provide services to the premises where the dog is kept. The owner shall provide a copy of such notice to the department within thirty (30) days after the court Order that the dog is vicious.

2. The owner of the dog shall post one or more signs on the premises at a location(s) approved by the department stating that a dog which has been determined to be vicious resides on the premises.

3. The owner of a dog determined to be a vicious dog may be prohibited from owning, possessing, controlling, or having custody of any other dog for a period of up to three (3) years, if it is found at the hearing conducted pursuant to this section, that ownership or possession of a dog by that person would create a significant threat to the public health, safety, and welfare (See section 31646 of the Food and Agricultural Code).

F. Removal of a dog from the list of potentially dangerous dogs can be done in conformance with Section 31644 of the Food and Agricultural Code, a dog that is deemed vicious shall be designated as such for the lifetime of that dog.

G. Transfer of the ownership of a dog deemed potentially dangerous or vicious can only be done if written permission has been granted by the Director of Animal Services, or his/her designee.

H. Any owner who relocates a dog to the County from another jurisdiction in which it has been designated as potentially dangerous or vicious must register the dog with Animal Services as "potentially dangerous" or "vicious". The owner is required to pay all applicable fees. This obligation shall be completed within thirty (30) days of relocation.

6.08.060 Other Dangerous Animals.

If any animal acts in such a way that it could be found to be potentially dangerous or vicious, Animal Services may prosecute an owner of such animal under this Article, or provisions of state law that apply to such animal.

6.08.070 Taking Up of Stray Animals.

It is the duty of any person that takes up a stray animal to notify the director of animal services within forty-eight (48) hours of taking up the animal.

6.08.080 Disposal of Dead Animals over 50 Pounds.

A. Any person owning or having under his or her control a dead animal, which shall mean the body of any dead horse, mule, cow, ox, bull, or other animal that weighs fifty (50) pounds or more at the time of death, shall dispose of such dead animal within twenty-four(24) hours in a manner appropriate for the size and species.

B. This Subsection shall not apply to any animal killed for purposes of consumption provided that the remains of such dead animal are processed in such a manner as to prevent such dead animal from spoiling.

C. In addition to any other penalty herein, the county shall be entitled to dispose of any dead animal improperly disposed of this chapter if such animal remains unburied for a period in excess of twenty-four (24) hours. Such costs of removal and disposal shall be a lien and charge against the owner and person in control of such animal immediately prior to its death. The county shall attempt to contact the owner of such dead animal prior to disposing of same."

SECTION 13: Article 6.12, Section 6.12.010 is amended as follows:

"6.12.010 Licenses.

The canine licenses required by this chapter shall be issued upon the payment of ~~the~~ fees ~~herein fixed for a period of twelve (12) months or twenty-four (24) months~~ commencing upon the date of application and upon the showing of a valid certificate of rabies vaccination. Such canine licenses shall expire on the anniversary date of the rabies certificate, but in no case shall a canine license be valid past the expiration date of the rabies certificate.

A. Every canine over four months of age shall be subject to an annual license fee in the amount set forth in Sections 2.116.130(D)(1) through (4).

B. Any person failing to procure a license prior to the expiration date of a previously issued license shall pay the amount set forth in Section 2.116.130(D)(5) as a penalty for such failure.

C. Any person failing to procure a license within thirty (30) days after the canine becomes four months of age shall pay the amount as set forth in Section 2.116.130 (D)(6) as a penalty for such failure.

D. Any person failing to procure a license within thirty (30) days of bringing such canine into the county shall pay the amount as set forth in Section 2.116.130 (D)(6) as a penalty for such failure.

E. The director of animal ~~control~~ **services** shall **assure that** ~~procure and issue~~ serial numbered license tags stamped with the name of the county **are procured and issued**. Such tags shall only be issued upon the application of owners who have complied with the vaccination and fee provisions of this chapter, and such license tag will be permanently issued for each animal and shall remain with that animal.

F. Every dog shall be provided by the owner with a suitable collar or other device to which a license tag shall be attached.

G. A fee shall not be levied for any license issued for a service dog owned by a person with a demonstrated need for assistance as determined by written order of a licensed physician, a dog used by any law enforcement personnel, or any dog owned by a senior citizen over the age of sixty-five (65) with a current rabies vaccination **who has previously received a free license and is seeking a renewal under this section, with a current rabies vaccination.**

H. In the event a license tag is lost from the body of any dog for which the same was issued, the owner shall, within ten (10) days thereafter, procure another and new license for such dog, for which he/she shall pay a fee as set forth in Section 2.116.130(D)(7). As often as any license is lost, the same shall be replaced in the same manner as hereinabove provided, within the same license year.

I. The director of animal ~~control~~ **services** may authorize veterinarians to sell dog licenses pursuant to this chapter. Such veterinarians shall be reimbursed the amount as set forth in Section 2.116.130(D)(8) for each license sold.

J. At the request of an owner and upon showing of a valid certificate or rabies vaccination, a license for a cat may be issued and an annual fee in an amount as set forth in Section 2.116.130D)(9) shall be charged and collected."

SECTION 14: Article 6.12, Section 6.12.020 is amended as follows:

"**6.12.020 Renewal notices.**

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Date Adopted: _____

At least thirty (30) days prior to the expiration date of **an animal** license ~~or a kennel permit~~, the director of animal ~~control~~ **services** shall **assure that** ~~mail~~ a renewal notice **has been mailed** to the owner of the **dog or cat. Upon the expiration of a Kennel License and prior to the renewal of the license, the Director of Animal Services shall schedule a Kennel Inspection.**"~~canine or the owner of a kennel.~~

SECTION 15: Article 6.12, Section 6.12.040 is amended as follows:

"**6.12.040 Kennel Licenses.**

A.1. No person shall own a kennel without first applying to and receiving from the director of animal ~~control~~ **services** a kennel license to do so, if the zoning is proper.

2. The application for a kennel license shall contain the name of the applicant, address, the address of the proposed location of the kennel if different from the applicant's, a brief description of the housing facilities and the number and description of the canines to be kept therein.

3. The fee for the issuance of a kennel license shall be due and payable by the owner upon approval of authorized county departments and each twelve months thereafter according to the fees set forth in Sections 2.116.130 (E)(1). Following payment of the license, an inspection of the kennel facility shall be conducted by authorized ~~A~~**a**nimal ~~Control~~ **services** ~~S~~**s**taff.

4. Any person failing to procure and pay for a kennel license renewal prior to the expiration date of the previous license shall reinstate the license or lose the kennel license and be subject to individual licensing requirements.

B.1. The director of animal ~~control~~ **services** shall procure and issue serial numbered license tag stamped with the name of the county. Such tags shall only be issued in the following numbers upon the application of kennel owners who have complied with the vaccination and fee provisions of this chapter.

2. Annually two tags for kennels with five to ten (10) canines; four tags for kennel with eleven (11) to fifteen (15) canines; six tags for kennels with sixteen (16) or more canines.

3. Any canine which is removed from the physical confines of a kennel shall have a license tag attached to its collar at all times; additional tags can be obtained for the amount as set forth in Section 2.116.130(E)(5).

C.1. Upon receipt of an application for a kennel license by the director of animal ~~control~~ **services**, the application shall be forwarded to the environmental health division of the department of health and human services of the county, the planning department of the county, and designated employees of these departments shall ascertain whether or not the applicant's plan is in conformity with county law governing their respective department.

2. If the applicant's kennel is in conformity with the law governing said departments, departmental approval shall be indicated on the face of the application. If the applicant's kennel is not in conformity with the law governing said departments, the face of the application shall be marked "NOT APPROVED" and the reason for non-approval noted thereon, along with any revisions or changes in the applicant's kennel which, if made, would result in approval by the department in question.

3. Upon approval by said departments of an application for a license, the director of animal ~~control~~ **services** shall make any inspection he deems proper. The director shall approve an application if he or she finds all of the following:

a. Keeping the kennel at the location specified in the application will not violate any law or ordinance of this county or any law of the state of California.

b. Keeping and maintenance of the kennel will not endanger the peace, health, or safety of persons in the immediate vicinity, or in the county as a whole.

c. Premises and housing where the kennel is to be maintained are in a clean and sanitary condition, and any canine kept therein will not be subject to suffering, cruelty or abuse.

d. The applicant has not had a kennel license revoked within a year prior to the date of application.

e. Keeping and maintenance of the kennel does not constitute a public nuisance.

D. Any kennel license issued pursuant to this article may be revoked or suspended as herein provided if, after investigation, the director of animal ~~control~~ **services** finds any of the following to be true:

1. The owner, agent or employee has been convicted of any offense involving the violation of Section 597 of the Penal Code of the state of California, or any provision of this chapter, or is in violation of the zoning, health and safety or building ordinances relating to the keeping of animals; or

2. The owner has failed to keep and maintain the premises or housing for the kennel in a clean and sanitary condition; or

3. The owner has at the place for which the kennel license is issued, failed to provide any animal with proper food, water, shelter, or attention; or

4. The owner has violated any rules, regulations, or conditions adopted by the director of animal ~~control~~ **services** as necessary to insure that the kennel will not endanger the safety of any person or property."

~~5. The director of animal control may charge and collect an application and annual license fee in addition to regular license fees for any vicious or dangerous animal as defined in Section 6.08.030(A) in amounts as set forth in Section 2.116.130(D)(10).~~

SECTION 16: Article 6.16, Section 6.16.010 is amended as follows:

"6.16.010 Duty to report bite.

It is the duty of any person having knowledge that any animal capable of transmitting rabies has bitten a human being within Placer County to immediately report the fact to the health department, the director of animal ~~control~~ **services** or the sheriff and to furnish complete information thereof."

SECTION 17: Article 6.16, Section 6.16.020 is amended as follows:

"6.16.020 Isolation or quarantine.

A. The director of animal services shall ensure that all animals falling into the following categories shall be isolated or quarantined at the place and under the conditions prescribed by the health officer and pertinent state laws and regulations.

1. Known rabid animals.
2. Suspected rabid animals.
3. Animals that have bitten or otherwise potentially exposed a human to rabies.
4. Animals of a species subject to rabies which have been bitten by a known rabid or suspected rabid animal or have been in intimate contact with a rabid or suspected rabid animal.

B. If the place of quarantine designated by the health officer is the owner's residence, then a fee in an amount set forth in Section 2.116.130 shall be charged and collected.

C.~~B.~~ It is unlawful for the owner or keeper of an animal to violate any of the conditions of isolation or quarantine prescribed by the health officer.

D. Alternatively, animals falling into the categories listed under (A) above may, depending on the circumstances or the wishes of the owner, be euthanized with the concurrence of, or at the direction of, the health officer. Such animals will be tested for rabies after euthanasia in an approved public health laboratory if this testing is determined to be necessary by the health officer."

SECTION 18: Article 6.16, Section 6.16.040 is amended as follows:

"6.16.040 Vaccination.

* * *

D. Every veterinarian, after vaccinating a dog for rabies, shall issue a certificate and furnish one copy of the certificate to the owner of the dog and one copy to the director of animal ~~control~~ **services or his/her designee**. The certificate shall be in the form prescribed by the director of animal ~~control~~ **services**."

SECTION 19: Article 6.20, Section 6.20.010 is amended as follows:

"6.20.010 Animals Subject to Impoundment.

A. It is the policy of Placer County and the State of California that no adoptable animal should be euthanized if a suitable home is available.

B. Adoptable animals are those eight weeks of age or older, that possess no significant behavioral, temperamental or health defects that could pose a health or safety risk or render the animal unsuitable as a pet. A condition that, with reasonable efforts, could result in an adoptable pet will be explored. California Penal Code § 599d

C. Any animal which is, to the knowledge of the director of animal ~~control~~ **services** engaged in an activity, or existing in a condition prohibited by this chapter shall be taken and impounded at the animal ~~control~~ **services** center or at such other place as may be approved by the director of health services.

D. "Feral Cats" are cats with temperaments that are completely unsocialized as defined by California Food and ~~Agriculture~~ **Agricultural** Code § 31752.5."

SECTION 20: Article 6.20, Section 6.20.020 is amended as follows:

"6.20.020 Impoundment of livestock.

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In addition to the power vested in the director of animal ~~control~~ **services** for the impoundment of any horse, mule, cow, goat, sheep, hog or burro found running at large, any peace officer is hereby empowered to impound such animal and to turn such animal over to the director of animal ~~control~~ **services** for disposition under this chapter."

SECTION 21: Article 6.20, Section 6.20.030 is amended as follows:

"6.20.030 Mandatory holding period for impounds.

A. All impounded dogs found wearing a current dog license tag shall be kept in the animal ~~control~~ **services** center for a period of not less than ten (10) days unless redeemed within such period. ~~(Ord. 5149-B § 3, 2002)~~

B. All impounded dogs not wearing a current dog license tag, and cats, shall be impounded for a period of time that is no less than what is consistent with state law. ~~kept in the animal control center for a period of not less than six business days, not including the day of impoundment, seventy-two (72) hours unless redeemed within such period. If the shelter has made the pet available for owner redemption on one weekday evening until at least 7:00 p.m., or one weekend day, the holding period shall be four business days, not including the day of impoundment.~~

C.~~1.~~ Following the impoundment of any ~~dog or cat~~ **animal** and prior to the adoption or euthanasia of the ~~pet~~**animal**, reasonable efforts shall be made to identify the ~~pet's~~ **animal's** owner (including a microchip scan) and to contact the owner (by phone, in person or in writing if known) with notice of the impoundment and redemption availability, the director of animal ~~control~~ **services** shall notify the owner of any licensed ~~dog~~ **animal** or the owner of any unlicensed **animal** ~~dog~~ if known, either personally or in writing, after which the ~~dog~~ **animal** will be otherwise disposed of as authorized by this chapter.

D. ~~2.~~ Except as provided in California Food and ~~Agriculture~~ **Agricultural** Code § 17006, 31752.5, dogs and cats shall be held for owner redemption ~~the first three days of the holding period (not including the day of impoundment), and~~ or adoption **consistent with state law.** ~~for the remainder of the holding period.~~

E. ~~3.~~ Except as provided in Food and ~~Agriculture~~ **Agricultural** Code §§ 17006, 31752.5, stray **animals** ~~dogs and cats~~, **or relinquished animals,** impounded pursuant to this division shall be released to a nonprofit [Internal Revenue Code § 501(c)(3)] animal rescue or adoption organization if requested by the organization prior to the scheduled euthanasia of that animal **if that animal does not have a history of dangerous behavior pursuant to Food and Agricultural Code §31108.5(b).** In addition to required spay or neuter fees, a fee (not to exceed the adoption fee) will be assessed for released animals.

~~D. Any other animals impounded, except bovine animals, shall be kept in the animal control center for the same period of time, under the same requirements of care and with the same opportunities for redemption and adoption as provided for dogs and cats.~~

~~E. Any impounded bovine animal shall be kept in the animal control center for fourteen (14) days, not counting days closed, unless it is redeemed within such period. (Ord. 5149-B § 3, 2002)~~

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Date Adopted: _____

SECTION 22: Article 6.20, Section 6.20.040 is amended as follows:

6.20.040 Redemption.

The owner of any animal impounded **that has been deemed available for adoption and does not have a documented history of aggressive or dangerous behavior** may, at any time before the disposition thereof, redeem the same by offering proof of ownership, and by redeeming all proper fees and charges accrued as provided for by this chapter provided, however, that if the animal is one which is subject to a license herein, the licensing requirements must be satisfied before the animal's release, except that an impounded dog that has not been vaccinated against rabies (or exempted therefrom by an exemption certificate as provided in this chapter) may be released to an owner who has paid all fees required herein including the license fee, on condition that such owner shall:

A. Have the dog vaccinated for rabies within ten (10) days; and

B. Exhibit a valid certificate of vaccination to the director of animal ~~control~~ **services** within ten (10) days, at which time the license will be issued.

SECTION 23: Article 6.20, Section 6.20.050 is amended as follows:

"6.20.050 Disposition of impounded animals.

A. Except as otherwise provided in this article, an impounded animal which is not redeemed within the applicable holding period specified in this article may be adopted **by a competitive bidding process or otherwise**, destroyed, or otherwise disposed of pursuant to statute.

B. If an animal is adopted, the receipt signed by the director of animal ~~control~~ **services** shall be valid title to the purchaser.

C. When any dog or cat is to be adopted pursuant to this chapter, prior to the delivery of the animal by the owner, the animal shall be spayed or neutered by a veterinarian. If the animal is too young or sick as certified by a licensed veterinarian then there shall be deposited by the purchaser with animal ~~control~~ **services**, a spaying or neutering deposit, which shall be designated for the veterinarian, for the payment of the spaying or neutering operation. The amount of the deposit shall be designated by the director of animal ~~control~~ **services**. The purchaser shall be responsible for any additional costs of the spaying or neutering operation over and above the deposit. All dogs/cats deemed old enough for surgical altering by a veterinarian shall be spayed/neutered prior to the purchasers receipt of the animal. Upon receipt from the veterinarian that a spaying or neutering operation has been performed, the deposit will be forwarded to the veterinarian. In the event that the purchaser fails to have the animal spayed or neutered within the six-month period following its purchase, the spaying and neutering deposit will be forfeited and shall become the property of Placer County and used in accordance with California Food and ~~Agriculture~~ **Agricultural** Code § 30521.

When an animal is to be adopted pursuant to this chapter, prior to the delivery of the animal, all costs incurred for veterinary services provided on behalf of such animal shall be paid in full to animal ~~control~~ **services**. These services are provided on an individual basis at the discretion of animal ~~control~~ **services** staff and may include but are not limited to vaccinations,

heartworm tests, leukemia tests, dentals, grooming, worming and other deemed necessary or appropriate.

D. Notwithstanding any other provisions of this article to the contrary, an impounded animal which is determined by the director of animal ~~control~~ **services** to be unfit, unwanted, dangerous, injured or ill, may be destroyed or otherwise disposed of as ordered by the director of animal ~~control~~ **services** as provided in California Penal Code § 597.1 and California Food and Agricultural Code § 17006.

E. Impounded animals adopted out through an Animal Services Competitive Bidding Process.

1. The Department shall announce and advertise a competitive bidding process to be employed when more than one potential adopter wants to procure the same shelter animal and as deemed necessary by the Director of Animal Services to promote public awareness and participation in said bidding.

2. If an owner of said animal attempts to redeem said animal any time before the bidding begins, then the County will return the animal to the owner after the Department has determined that the person is in fact the owner of said animal, the owner has met all the requirements of redemption as per Animal Services policies to receive the animal as determined by the Director, and the owner has paid any and all fees due and owing under this Chapter.

3. Once competitive bidding has begun the Department will not entertain claims of ownership. The animal will be transferred to the highest bidder once the new owner has met all the requirements of redemption as per Animal Services policies to receive the animal as determined by the Director, and payment has been made.

4. Any new owner of such animal may, within fourteen (14) days after such purchase, exchange such animal if said animal has been examined by a veterinarian or by an authorized departmental representative and determined to be physically or otherwise unsuitable for placement. If the charges for the substituted animal are greater than the amount paid for the original, the purchaser shall pay the difference. No refund shall be made if the price of the substituted animal is less than the amount paid for the original. An exchange must be consummated within 31 calendar days from the original purchase date and no part of the purchase price shall be refunded even if a purchaser is unable to make satisfactory exchange within the prescribed period.

5. Proceeds from any competitive bidding of animals will be used for costs associated with that animal that were incurred by the County. Any additional proceeds shall be used to defray other costs of maintaining animals at the shelter."

SECTION 24: Article 6.20, Section 6.20.060 is amended as follows:

"**6.20.060 Impoundment Fees**

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E. ~~In the case of animals other than dogs,~~ **W**~~w~~hen the director of animal ~~control~~ **services** causes an animal at large to be returned to the property of the owner of the animal, a fee amounting to time, mileage, and extraordinary expenses may be charged."

SECTION 25: Article 6.20, Section 6.20.070 is amended as follows:

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Date Adopted: _____

"6.20.070 Relinquished animals.

A. A fee for every relinquished animal shall be charged and collected when the animal is surrendered in an amount set forth in Section 2.116.130(A).

B.~~A~~ Except as provided in California Food and ~~Agriculture~~ **Agricultural** Code §§ 17006 and 31754, any animal that is voluntarily deposited with the animal ~~control~~ **services** center or authorized personnel thereof by the owner shall ~~not~~ be available for adoption ~~or owner redemption for two full business days, not including day of impoundment~~ **consistent with state law;** ~~. Then the animal~~ **it** may be retained for adoption, euthanized or released under the same conditions provided for stray dogs and cats.

C. ~~B~~. Notwithstanding the above, kittens or puppies relinquished by the purported owner, or by a delegated authority, may be available immediately for adoption.

D. ~~C.~~ **Consistent with state law** ~~N~~**n**ewborn animals that need maternal care and have been impounded without their mothers may be euthanized without being held for owner redemption or adoption." ~~California Food and Agriculture Code § 17006.~~

SECTION 26: Article 6.24 is deleted in its entirety:

~~**6.24.010 Hunting.**~~

~~A. It is unlawful in the areas hereinafter identified to take or possess any bird or mammal or part thereof.~~

~~B. To use or have in possession any firearm, bow and arrow, or any trap or other contrivance designed to be, or capable of being, used to take birds or mammals, or to discharge any firearm or to release any arrow into areas hereinafter identified.~~

~~C. Nothing in this section prohibits the possession of firearms or bows and arrows by persons when traveling through the areas hereinafter identified when the firearms are taken apart or encased and unloaded and the bows are unstrung.~~

~~Area 1:~~

~~Beginning at a point in Section 17, T14N, R14E, MD&M, where the French House-Big Meadows Road intersects the South Fork of Long Canyon Creek; thence following southwesterly along said road to its intersection with the French Meadows-Georgetown Road near the section line between Secs. 22 and 23, T14N, R13E, thence southwesterly along the French Meadows-Georgetown Road where it intersects an unnamed tributary to the North Fork of Long Canyon Creek near the section line between Secs. 22 and 27, T14N, R13E; thence northwesterly along said tributary to French House Site (near the center of Sec. 22, T14N, R13E); thence northwesterly along the French House-Red Star Mine Jeep Road in Secs. 22 and 15, T14N, R13E, to its intersection with the Middle Fork of the American River, in Sec. 15, T14N, R13E; thence northeasterly along the Middle Fork of the American River, to its intersection with the southern boundary of Sec. 35, T15N, R13E, thence due north on a line through the center of Sec. 35 to an intersection with the summit of Red Star Ridge in Sec. 26, T15N, R13E (this being the divide between Duncan Creek and the Middle Fork of the American River); thence northeasterly following the summit of Red Star Ridge to a point in Sec. 4, T15N, R14E, where said ridge intersects the main Foresthill Divide between the North Fork of the American River and the Middle Fork of the American River; thence easterly along the summit of~~

~~said divide to Needle Peak; thence southerly following the summit of the divide to Mt. Mildred; thence southwesterly following the summit of the divide between Gray Horse Creek and the Middle Fork of the American River to its intersection with the Big Meadows-Gray Horse Valley Trail (near the middle of Sec. 5, T14N, R14E); thence following said trail to the South Fork of Long Canyon Creek (near the middle of Sec. 9, T14N, R14E); thence southwesterly down the South Fork Long Canyon Creek to the point of beginning. (Prior code § 12.100)~~

SECTION 27: Article 6.28, Section 6.28.010 is deleted in its entirety:

~~**6.28.010 Grazing area described.**~~

~~All private lands of any character not enclosed by a fence and lands owned by the United States, either of which are included within the area described in Exhibit A and Exhibit B attached to the ordinance codified in this section, and incorporated herein by reference, are declared to be areas devoted directly to grazing pursuant to Section 17124 of the Food and Agricultural Code of the state of California. The owners of such unfenced land pastured by stock of another person shall be entitled to a reasonable rental fee. Such fee shall be comparable to fees paid to the Forest Service by permittees in the area. (Prior code § 3.200)~~

SECTION 28: Article 6.28, Section 6.28.020 is amended as follows:

"6.28.020 Brand Registration

Any person who pastures livestock in such grazing area in Placer County shall have on file with the brand inspector and director of animal ~~control~~ **services**, the owner's brand, **or other means of ownership identification, such as ear tags**, and the name and address of the party to be notified pursuant to Section 6.28.040." ~~(Prior code § 3.210)~~

SECTION 29: Article 6.28, Section 6.28.030 is deleted in its entirety and replaced with the following:

"6.28.030 Authority of animal control officer.

Any animal control officer of Placer County shall be charged with the enforcement of this article. Upon receipt of notice that livestock have strayed into lands not heretofore designated as grazing lands, the director of animal services shall give written notice to the designated person or owner. The owner or person in control of such animals shall have three days from the date of the notice to remove such livestock; if such livestock are not removed within such three-day period, then the director of animal services shall pick up and detain such animals and charge the owner the cost of such services in accordance with law. Such animals shall not be released until such charges have been paid in full. Nothing in this section shall be construed to negate any remedies that any landowners or other persons entitled to possession may have under any other laws or ordinances."

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Date Adopted: _____

SECTION 30. This ordinance shall take effect and be in full force and effect thirty (30) days after its passage. The Clerk is directed to publish ordinance, or a summary therefore, within fifteen (15) days in accordance with Government Code Section 25124.

MEMORANDUM
PLACER COUNTY HEALTH AND HUMAN SERVICES
Community Health, Clinics, and Animal Services

TO: Honorable Board of Supervisors

FROM: Richard J. Burton, M.D., M.P.H.
Placer County Health Officer and Director of Health & Human Services
Mark Starr, D.V.M., M.P.V.M., Director of Community Health, Clinics, and Animal Services

DATE: August 23, 2011

SUBJECT: Amendments and Deletions to Article 6.04, 6.08, 6.12, 6.16, 6.20, 6.24, and 6.28 of the Placer County Code Regarding Domestic Animals

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ACTION REQUESTED:
Adopt the attached Ordinance to amend Article 6.04, 6.08, 6.12, 6.16, 6.20, 6.24, and 6.28 of the Placer County Code, Chapter 6, Animals, to provide improved rules for an array of animal situations and to update obsolete language.

BACKGROUND:
One of the most important enforcement tools that Animal Services has at its disposal is Chapter 6, the Animal Ordinance, of the Placer County Code. Animal Control Officers routinely cite violations of Chapter 6 when enforcing nuisance complaints such as dangerous dogs, barking dogs, dogs at large within county parks and unlicensed animals.

Placer County Animal Services, working with County Counsel, identified challenges with, and limitations to, the current Placer County Code Section 6.08.030 regarding vicious or dangerous animals. Therefore, we undertook a revision of this County ordinance in order to improve language and to provide greater specificity in the County Code, allowing Placer County Animal Services to have more tools to address problems. A review of ordinances of other jurisdictions was a key part of the revision process, as was active involvement of the Placer County Animal Services Advisory Committee (ASAC). As a result of efforts by all parties, the proposed ordinance provides for a clear process by which the County can effectively address dog owners who violate the law, and require restrictions and conditions related to ownership of a dog deemed to be potentially dangerous or vicious, or the euthanasia of such dogs.

We determined that additional sections were in need of revision, so we undertook a comprehensive review of all of Chapter 6 as well. The other proposed changes include updating the definitions section, including redefining "dog at large" to include any dog that is not on a leash, with exceptions for working dogs, agricultural dogs, dogs in obedience or completion events, and hunting dogs. There are improvements to the sections relating to the handling of dead animals and allowing for an exception under the "excessive dog barking" section when a dog is provoked. The sections relating to kennel licenses, rabies prevention, and the impoundment holding periods are updated to be consistent with State law. The "hunting" section of the Chapter was deleted in its entirety (as it has been completely superseded by State law), and the grazing section was updated. And the Department has added a new process to allow for fair competition for adoptions of highly desirable pets that occasionally come into the shelter. The ASAC was involved in these revisions as well, and input from the Placer County Agricultural Commission was obtained.

Lastly, there is a new section that will allow for the Department to reduce animal services fees to encourage adoptions when there is an influx of animals at the shelter that brings the shelter to over 80% of capacity, or when the shelter wants to find a home for an animal that has special medical needs or is at an advanced age. This narrowly drawn authority can be delegated by your Board as such delegation does not give the Department the power to make any 'fundamental policy decisions', and does not allow for unfettered discretion relating to such fees.

In summary, the proposed amendments of Chapter 6 of the Placer County Code represent significant improvements, ranging from updating obsolete language to an improved leash law and stronger and more specific rules regarding potentially dangerous animals. These changes will enable Placer County Animal Services to better address the safety and welfare of both people and animals in the County.

FISCAL IMPACT:
There is no impact to the County General Fund as a result of this action.

Attachment A - Ordinance