

## Title 6 ANIMALS

### Chapter 6.04 ANIMALS GENERALLY

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6.04.010 Definitions.

Whenever in this chapter the words defined in this section are used they shall have the respective meanings assigned to them in the following definitions:

“Animal” means and includes any domestic bovine animal, horse, mule, burro, sheep, goat, swine or other domestic animal except a dog or cat.

“At large” means off the premises of, and not under physical restraint, by, the owner or other person having charge of an animal.

“Fowl” means and includes any chicken, duck, turkey, goose or other domestic fowl.

“Health officer” means the health officer of the county of Riverside or his or her duly authorized representative. (Ord. 534.6 § 1, 2007; Ord. 534.5 § 1, 1991)

6.04.020 Animals or fowl at large prohibited.

No person owning or having charge of any animal or fowl shall permit the same to be at large on any highway, street, sidewalk, lane, alley or other public place, or upon any private property other than that of the person owning or having charge of such animal or fowl unless such owner or person having charge of such animal or fowl has the consent of the owner of the private property. (Ord. 534.5 § 2, 1991)

6.04.030 Exemption.

This chapter shall not prohibit leading, driving, riding or conducting animals under adequate supervision along a public highway. (Ord. 534.5 § 3, 1991)

6.04.040 Impounding animals.

Subject to the provisions contained in Section 6.04.140 of this chapter, it shall be the duty of the health officer to take up and impound all animals found at large upon any highway, street, sidewalk, lane, alley or other public place, or upon any private property. The health officer may contract with any person to keep, feed and care for any such animal at reasonable rates for not more than twenty (20) days. (Ord. 534.6 § 2, 2007: Ord. 534.5 § 4, 1991)

6.04.050 Disposition of rabid or disabled animals.

If it shall appear to the health officer from the report of a licensed veterinarian or other qualified person that an animal is afflicted with rabies, he shall humanely destroy such animal, and shall take such other action as may be required by law and as he or she deems necessary to prevent the spread of such disease. He or she may humanely destroy any sick, disabled, infirm or crippled animal found at large if he or she is unable to identify and locate the owner. (Ord. 534.5 § 5, 1991)

6.04.060 Disposition of impounded bovine animals, horses, mules or burros.

Upon impounding of any bovine animal, horse, mule or burro, the health officer shall comply with Food and Agriculture Code Section 17003 and immediately notify the Secretary of Food and Agriculture. (Ord. 798 § 2M, 1999: Ord. 534.5 § 6, 1991)

6.04.070 Disposition of other impounded animals.

If any animal other than a domestic bovine animal, horse, mule or burro, and except an animal afflicted with rabies, impounded by the health officer, is not reclaimed within two days thereafter, it shall be sold by the health officer after giving notice of sale in accordance with Section 6.04.080. (Ord. 534.5 § 7, 1991)

6.04.080 Notice of sale.

The notice of sale shall contain a description of the animal, including any identifying marks or brands; the date and place where the animal was taken up; and the time and place of sale. At least five days prior to the sale of any impounded animal, the health officer shall cause a copy of the notice to be published in a newspaper circulated in the area where the animal was found, and shall mail a copy of the notice to the owner or person entitled to possession of the animal at his or her residence or place of business, if known. (Ord. 534.5 § 8, 1991)

6.04.090 Sale of animals.

At the time and place set forth in the notice of sale, the health officer shall sell the impounded animal at public sale, to the highest bidder, for cash. If no bid is offered for such animal, the health officer may sell such animal at private sale or humanely destroy such animal, or otherwise dispose of it as permitted by law. (Ord. 534.5 § 9, 1991)

6.04.100 Proceeds of sale.

The proceeds of such sale, after first deducting fees and charges of the health officer, including costs of sale, shall be paid by the health officer to the county treasurer who shall pay then over to the owner of such animal sold if claimed within one year thereafter. If not so claimed, they shall be transferred into the general fund of the county. (Ord. 534.5 § 10, 1991)

6.04.110 Redemption of animals by owner.

The owner or person entitled to possession of any animal impounded, may at any time before the sale or other disposition thereof, redeem the same by paying the health officer all fees and charges thereon. (Ord. 534.5 § 11, 1991)

6.04.120 Costs of redemption.

The health officer shall charge and collect from each person redeeming an unaltered impounded animal an impounding fee of thirty-five dollars (\$35.00) for the first offense, fifty dollars (\$50.00) for the second offense and one hundred dollars (\$100.00) for the third offense, plus the actual costs of transporting the animal to impound, the actual costs of veterinary and related services rendered to the animal while impounded, the actual costs of sale incurred, and the actual costs of any extraordinary measures required in or for the handling and maintenance of the animal while impounded, and in addition thereto, the following fees set forth in subsections A through H of this section.

The health officer shall charge and collect from each person redeeming an altered impounded animal an impounding fee of twenty-five dollars (\$25.00) for the first offense, forty dollars (\$40.00) for the second offense and ninety dollars (\$90.00) for the third offense, plus the actual costs of transporting the animal to impound, the actual costs of veterinary and related services rendered to the animal, the actual costs of sale incurred, and the actual costs of any extraordinary measures required in or for the handling and maintenance of the animal while impounded, and in addition thereto, the following fees set forth in subsections A through H of this section:

- A. For the maintenance of swine, goats and sheep: per animal, for each day of impoundment - twelve dollars (\$12.00);
- B. For the maintenance of horses and cattle: per animal, for each day of impoundment - twenty dollars (\$20.00);
- C. For the maintenance of ponies: per animal, for each day of impoundment - twenty dollars (\$20.00);
- D. For the maintenance of fowl: per animal, for each day of impoundment - five dollars (\$5.00);
- E. For the taking up of large-sized animals, such as horses, cattle, and ponies: per animal - seventy-five dollars (\$75.00);
- F. For the taking up of medium-sized animals, such as swine, goats, and sheep: per animal - sixty dollars (\$60.00);

G. For the taking up of small-sized animals, such as rabbits and guinea pigs: per animal - five dollars (\$5.00);

H. For the taking up of animals after normal business hours - ninety dollars (\$90.00) per hour. This after hours fee is in addition to any other applicable fees set forth in this chapter.

The fees set forth in this section shall be in effect until the board of supervisors shall by ordinance fix some other fee upon the basis of a cost analysis as determined by the county auditor-controller. (Ord. 534.6 § 3, 2007; Ord. 534.5 § 12, 1991)

#### 6.04.130 Authorization to enter upon private property.

Notwithstanding any provisions contained in this chapter relating to the entry upon private property for any purposes hereunder, no such entry may be conducted: (a) without the consent of the property owner or the person having lawful possession thereof; or (b) unless an inspection warrant has been issued and the entry is conducted in accordance with Code of Civil Procedure Sections 1822.50 through 1822.56, inclusive; or (c) except as may otherwise be prescribed by law. (Ord. 534.5 § 13, 1991)

#### 6.04.140 Impoundment hearing.

At least three working days prior to the impoundment of any animal, notice shall be given in person to, or by mail to the last known address of, the owner or person entitled to possession thereof of his or her right to a hearing as to whether or not such impoundment is justified. If the owner or person entitled to possession thereof requests a hearing prior to impoundment, no impoundment shall take place until the conclusion of the hearing except as provided herein. If in the opinion of the health officer, immediate impoundment is necessary for the preservation of the public health or safety, the pre-impoundment hearing may be dispensed with; provided, however, in such cases the owner or person entitled to possession thereof shall be given three working days notice as provided herein of his or her right to a hearing. If a hearing is requested, the hearing shall be held within five days of the request, and the animal shall not be sold, destroyed or otherwise disposed of prior to the conclusion of the hearing. Notice of the time, date and place of the hearing shall be given to the owner or person entitled to possession thereof. If, at the end of the hearing, the impoundment is found to be unjustified, the animal shall be returned to the owner or person entitled to possession thereof without charge. (Ord. 798 § 20, 1999; Ord. 534.5 § 14, 1991)

#### 6.04.150 Forfeiture and disposition.

A. Upon the conviction of a person of a violation of this chapter, all animals lawfully seized and impounded with respect to the violation by a peace officer or an animal control officer, shall be adjudged by the court wherein the conviction took place to be forfeited and shall thereupon be awarded to the impounding officer for disposition in accordance with the written policy on disposition of impounded animals adopted by the board of supervisors.

B. Any animals adjudged forfeited under the provisions of Penal Code Section 597, shall be disposed of in accordance with the written policy on disposition of impounded animals adopted by the board of supervisors. (Ord. 534.6 § 4, 2007; Ord. 798 § 2Q, 1999; Ord. 534.5 § 15, 1991)

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Chapter 6.05 CROWING ROOSTERS

6.05.010 Crowing roosters.

6.05.020 Crowing rooster permit.

6.05.030 Violation--Penalty.

6.05.010 Crowing roosters.

Any person owning, keeping or maintaining seven (7) or more crowing roosters, two months of age or older including but not limited to a rooster or male chicken, shall house such roosters in an acoustical structure between sunset and sunrise, so as to reduce the noise emitted by such roosters during nighttime hours. The noise reduction shall be accomplished in such a manner that the noise escaping from the acoustical structure shall not interfere with a reasonable person's use and enjoyment of his or her real property. All such roosters shall be furnished an adequate supply of water and feed. (Ord. 817 (part), 2002)

6.05.020 Crowing rooster permit.

All roosters shall be kept and/or maintained only upon lands and in the numbers authorized under county ordinance No. 348. Any person keeping or maintaining on property owned or controlled by said person seven (7) or more crowing roosters, two months of age or older, provided the presence of such roosters is in compliance with the provisions of county ordinance No. 348, shall first obtain a permit and pay the fee prescribed below. The permit requirements shall not apply to 4-H or FFA sponsored projects.

The permit shall be for the terms and paid to the department of animal control in the amounts specified below:

Roosters	Fees
1-6 Roosters	no charge
7-10 Roosters (annual)	\$ 500
11 or more Roosters (annual)	1,500

(Ord. 817 (part), 2002)

6.05.030 Violation--Penalty.

Any person violating any of the provisions of this chapter shall be guilty of an infraction, and upon conviction thereof shall be punished by: (1) a fine not exceeding fifty dollars (\$50.00) for the first violation; (2) a fine not exceeding one hundred dollars (\$100.00) for the second violation within one year; (3) a fine not exceeding two hundred fifty dollars (\$250.00) for each additional violation within one year. Each day a violation is committed or permitted to continue shall constitute a separate offense.

Notwithstanding the foregoing, a first or any subsequent violation of the ordinance codified in this chapter may be charged and prosecuted as a misdemeanor. (Ord. 817 (part), 2002)

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Chapter 6.06 MANDATORY ALTERING AND LICENSING OF MINIATURE PIGS

6.06.010 Mandatory altering and licensing of miniature pigs.

6.06.020 Violation--Penalty.

6.06.010 Mandatory altering and licensing of miniature pigs.

A. It is unlawful for any person to own, harbor, keep or maintain any miniature pig (also known as a pot bellied pig, Vietnamese pot bellied pig or Chinese pot bellied pig), that is four months of age or older, within the unincorporated area of the county of Riverside, for a period longer than thirty (30) days, unless the animal has been spayed or neutered and the person owning or possessing the animal has obtained from the department of animal control a license for the animal, and paid a fee in the amount specified below. In those instances where the animal may not be safely altered for a valid health reason, the owner of the animal shall obtain from a licensed veterinarian a letter so stating, and the requirement of alteration (but not licensing) shall be excused.

B. Licenses shall be issued upon payment to the department of animal control of the following fees:

1—4 (Pot Bellied Pigs)	An individual license of \$8.00 per year for each pig
5—10 (Pot Bellied Pigs)	
1 year license	\$180.00
2 year license	200.00
Late fee: 50% of the applicable fee(s).	

(Ord. 818 (part), 2002)

6.06.020 Violation--Penalty.

Any person violating any of the provisions of this chapter shall be guilty of an infraction, and upon conviction thereof shall be punished by: (1) a fine not exceeding fifty dollars (\$50.00) for the first violation; (2) a fine not exceeding one hundred dollars (\$100.00) for the second violation within one year; (3) a fine not exceeding two hundred and fifty dollars (\$250.00) for each additional violation within one year. Each day a violation is committed or permitted to continue shall constitute a separate offense.

Notwithstanding the foregoing, a first and any subsequent violation of the ordinance codified in this chapter may be charged and prosecuted as a misdemeanor. (Ord. 818 (part), 2002)

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Chapter 6.08 DOGS AND CATS

6.08.010 Definitions.

6.08.020 Mandatory dog licensing and vaccination.

- 6.08.030 Control of unspayed and unaltered cats.
- 6.08.040 Optional licensing for cats.
- 6.08.050 Mandatory licensing of kennels and catteries.
- 6.08.060 Animal rescuer.
- 6.08.070 Denial, suspension, revocation and appeal of kennel or cattery license.
- 6.08.080 Duties and powers of officers.
- 6.08.090 Entry upon private property.
- 6.08.100 Capture of dogs running at large.
- 6.08.110 Impounded dogs and cats and service fees.
- 6.08.120 Spay/neuter deposits for dogs and cats.

*Note: References are to the numbering of Ordinance 630. Codified sections add a "0" Section 7. A new Section 13 is added to Ordinance No. 630.11 Section 9. Existing Sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 are renumbered 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 respectively.*

- 6.08.130 Public spay and neuter clinics.
- 6.08.140 Stray or barking dogs.
- 6.08.150 Cat trapping.
- 6.08.160 Rabies suppression, control and quarantine.
- 6.08.170 Placement requirements.
- 6.08.180 Prohibition of sales or the giving away of dogs and cats on public property.
- 6.08.190 Enforcement.
- 6.08.200 Violation—Penalty.
- 6.08.210 Administrative citations and penalties.
- 6.08.220 Recoupment of enforcement costs.
- 6.08.230 Public nuisance.
- 6.08.240 Adjustments of fees.
- 6.08.250 Waiver of fees.

6.08.010 Definitions.

Whenever, in this chapter or in any resolution or standard adopted by the board of supervisors pursuant to this chapter, the following terms are used, they shall have the meaning ascribed to them in this section, unless it is apparent from the context thereof that some other meaning is intended.

“Altered” means a male animal that has been neutered or a female animal that has been spayed. Also referred to as a sterile animal.

“Animal Rescue Operation. Any building, structure, enclosure or premises run by an Animal Rescuer, whether or not a valid nonprofit corporation formed pursuant to the provisions of the California Corporations Code for the prevention of cruelty to animals, which meets all requirements and standards referred to in Section 6 of this ordinance.”

~~“Animal rescuer” means any individual who routinely obtains a dog or cat from the rightful owner of the animal, or any animal from an animal shelter that has been retained in accordance with this chapter.~~

“Animal Rescuer. Any individual possessing a rescue permit from the Department, who routinely obtains a dog or cat from the rightful owner of said animal, or any animal from an animal shelter that has been retained in accordance with this Ordinance.”

“Animal services director” means the director of the department of animal services of the county of Riverside or his or her duly authorized representative.

“At large” means any dog which is off the premises of its owner, custodian or caretaker and which is not under physical restraint by a leash of a size and material appropriate to the size and temperament of the dog and which is held by a person capable of restraining such dog, or is not otherwise physically restrained by some other device or instrumentality, except that such device or instrumentality shall not include voice control, eye control or signal control of the dog by any person, device or instrumentality.

Any dog which is on the premises of its owner, custodian or caretaker which is not being maintained by physical restraint, fence, kennel, voice command, or in such a way that the animal may not leave the property of the owner; or that persons, without permission, may not wander into the confined area of the dog without intentional trespass.

“Cattery” means any building, structure, enclosure or premises whereupon, or within which, ten (10) or more cats, four months of age or older, are kept or maintained.

~~“Class I kennel” means any building, structure, enclosure or premises whereupon, or within which, five to ten (10) dogs, four months of age or older, are kept or maintained.~~

“Class I Kennel. Any building, structure, enclosure, or premises whereupon, or within which, five (5) to ten (10) dogs, four (4) months of age or older, are kept or maintained. A Class I Kennel shall not include a Sentry Dog Kennel or an Animal Rescue Operation that meets the definition and requirements set forth in this ordinance.”

~~“Class II kennel” means any building, structure, enclosure or premises whereupon, or within which, eleven (11) or more dogs, four months of age or older, are kept or maintained.~~

“Class II Kennel. Any building, structure, enclosure or premises whereupon, or within which, eleven (11) to twenty-five (25) dogs, four (4) months of age or older, are kept or maintained.”

Class III Kennel. Any building, structure, enclosure or premises whereupon, or within which, twenty-six (26) to forty (40) dogs, four (4) months of age or older, are kept or maintained.”

“Class IV Kennel. Any building, structure, enclosure or premises whereupon, or within which, forty-one (41) or more dogs, four (4) months of age or older, are kept or maintained.”



“Community” means any public entity which is authorized by law to regulate and control dogs or cats or both.

“Custodian” means any person who intentionally provides care or sustenance for any animal, including but not limited to a dog or cat, on behalf of another, or represents the interests of the owner.

“Department” means the Riverside County department of animal services.

“Director” means the director of the county or his or her duly authorized representative.

“Exigent circumstances” means circumstances in which the officer, in his or her reasonable judgment, determines that a life threatening or serious injury may occur if immediate action is not taken, i.e., animal may die if not immediately transported to a veterinarian, or animal may bite and seriously injure a human or animal if not immediately impounded, or animal may die if officer does not immediately enter property and rescue, etc.

“Exotic animal” is defined as any animal which is not normally domesticated in the United States including, but not limited to, any lion, tiger, bear, non-human primate (monkey, chimpanzee, etc.), wolf, coyote, cougar, bobcat, ocelot, wildcat, skunk, boa, python, reptile, amphibian, bird, or venomous snake, irrespective of its actual or asserted state of docility, tameness or domesticity.

“Guide dog” means any dog trained or being reared, trained or used for the purpose of guiding a blind person.

“Hybrid animal” means any animal which is part wild animal and is capable of transmitting rabies, except livestock hybrids, and for which no rabies prophylaxis is recognized or authorized by the state of California.

“Impounded” means having been received into the custody of any animal control center, animal control officer, animal control vehicle, or peace officer duly authorized by the county to receive such animal.

“Incapable of breeding. Any dog or cat which has been examined by a California licensed Veterinarian and determined to not be capable of reproducing. A certificate of sterility, signed by the Veterinarian must be provided upon demand.”

“Owner” means any person who intentionally provides care or sustenance for any animal, including but not limited to a dog or cat, for any period exceeding a total of thirty (30) days.

“Person” means any individual, firm, business, partnership, joint venture, corporation, limited liability company, profit or nonprofit association, club, or organization.

“Public entity” means any state, or any political subdivision, municipal corporation profit or nonprofit or agency thereof.

“Sentry dog” means any dog trained to work without supervision in a fenced facility and to deter or detain unauthorized persons found within the facility. The term “guard dog” shall also mean “sentry dog.”

“Sentry Dog Kennel. Any building structure, enclosure, or premises whereupon, or within which, five or more guard or sentry dogs are kept or maintained.”

“Service dog” means any dog being reared, trained or used for the purpose of fulfilling the particular requirements of a physically disabled person, including but not limited to minimal protection work, rescue work, pulling a wheelchair or fetching dropped items.

“Signal dog” means any dog trained or being reared, trained or used for the purpose of alerting a deaf person or a person whose hearing is impaired, to intruders or sounds.

“Unlicensed dog” means any dog for which no valid license is currently in force.

~~“Unaltered and unspayed” means a condition that exists in an animal which permits the producing of offspring. A dog or cat that has not been spayed or neutered.~~

**“Unaltered and Unspayed. A dog or cat, four (4) months of age or older, that has not been spayed or neutered. A condition that exists in an animal which permits the producing of offspring.”**

“Vaccination” means an inoculation against rabies of any dog or cat, four months of age or older, with any vaccine prescribed for the purpose by the California Department of Health Services.

“Veterinarian” means a person holding a currently valid license to practice veterinary medicine issued by the state of California pursuant to Chapter 11 of the California Business and Professions Code.

“Vicious dog/vicious cat” means any dog or cat which has bitten a person or animal without provocation or direction or which has a disposition or propensity to attack or bite any person or animal without provocation or direction. (Ord. 630.11 §§ 1, 2, 3 (part), 2008; Ord. 630.10 § 1, 2007; Ord. 630.7 § 1, 1999)

#### 6.08.020 Mandatory dog licensing and vaccination.

A. Except as provided in Section 6.08.050(A), it is unlawful for any person to own, harbor or keep any dog, four months of age or older, within the unincorporated area of the county, for a period longer than thirty (30) days, unless a currently valid license tag has been issued by the director or any agency authorized by the county for such purpose and the tag is displayed upon the dog’s collar pursuant to Section 30951(b) of the California Food and Agriculture Code.

B. It is unlawful for any person to own, harbor or keep any dog, four months of age or older, within the unincorporated area of the county, for a period longer than thirty (30) days, which has not been vaccinated against rabies. Every person in the unincorporated area of the county who owns, harbors or keeps any dog over four months of age for a period longer than thirty (30) days shall have such dog vaccinated against rabies as provided in this chapter, by a veterinarian of his or her choice and such vaccination shall be renewed in accordance with the applicable laws and regulations of the state of California.

C. Each veterinarian after vaccinating any dog shall sign a certificate of vaccination in triplicate in the form required by the director. The veterinarian shall keep one copy, shall give one copy to the owner of the vaccinated dog and shall send one copy to the department.

D. The director shall issue a license only upon presentation of a certificate of vaccination indicating therein that the date of expiration of the vaccination immunity is not earlier than the date of expiration of the license being issued or renewed, and upon payment of the applicable license fee specified in subsection F of this section; provided, however, that where the vaccinated dog is between the ages of four months and twelve (12) months, the period of vaccination immunity required for licensing shall be as specified in Title 17, California Administrative Code, Section 2606.4.

E. Notwithstanding the provisions of subsections B and D of this section, in the event a dog has a short-term illness, is pregnant, or suffers from a long-term debilitating illness which in the opinion of a veterinarian contraindicates vaccination for rabies, such dog shall not be required to undergo vaccination during the period of such illness or pregnancy where a request for vaccination deferral has been approved by the director. Such request shall specify the duration of the requested deferral, the reason for the requested deferral, and shall be signed by a veterinarian. The director shall issue a license for such dog upon approval of the request for vaccination deferral and payment for the applicable license fee specified in subsection F of this section. The owner or person having custody of such dog shall confine and shall keep such dog confined, for the duration of the deferral. Within fourteen (14) days after the expiration of the deferral, the owner or person having custody of such dog shall present to the director a certificate of vaccination in accordance with the provisions of subsection D of this section.

F. Subject to the provisions of this section, licenses shall be issued upon payment of the following fees:

1. License valid for one year from date of issuance, for each sterile dog, accompanied by a certificate signed by a veterinarian that said dog is permanently unable to reproduce — eight dollars (\$8.00).
2. License valid for one year from date of issuance, for each dog to which the provisions of subsections (F)(1) and (7) of this section are not applicable — fifty dollars (\$50.00).
3. License valid for two years from date of issuance, for each sterile dog, accompanied by a certificate signed by a veterinarian that the dog is permanently unable to reproduce — fifteen dollars (\$15.00).
4. License valid for two years from date of issuance, for each dog to which the provisions of subsections (F)(3) and (8) of this section are not applicable — one hundred dollars (\$100.00).
5. License valid for three years from date of issuance, for each sterile dog, accompanied by a certificate signed by a veterinarian that the dog is permanently unable to reproduce — nineteen dollars (\$19.00).
6. License valid for three years from date of issuance, for each dog to which the provisions of subsections (F)(5) and (9) of this section are not applicable — one hundred fifty dollars (\$150.00).
7. License valid for one year from date of issuance, for each sterile dog, which is owned by a person sixty (60) years of age or older, and is accompanied by a certificate signed by a veterinarian that the dog is permanently unable to reproduce — six dollars (\$6.00).
8. License valid for two years from the date of issuance, for each sterile dog, which is owned by a person sixty (60) years of age or older, and is accompanied by a certificate signed by a veterinarian that the dog is permanently unable to reproduce — seven dollars (\$7.00).

9. License valid for three years from the date of issuance, for each sterile dog, which is owned by a person sixty (60) years of age or older, and is accompanied by a certificate signed by a veterinarian that the dog is permanently unable to reproduce — eight dollars (\$8.00).

10. Dangerous animal registration as required by Ordinance No. 771 — one hundred dollars (\$100.00) per year.

G. No fee shall be required for a license for any assistance dog such as a guide dog, signal dog or service dog as defined in California Food and Agriculture Code, Section 30850(a), if such dog is in the possession and under the control of, in the case of a guide dog, a blind person, or in the case of a signal dog, a deaf or hearing-impaired person, or in the case of a service dog, a physically disabled person, or where such dog is in the possession and under the control of a bona fide organization having as its primary purpose the furnishing and training of guide dogs for the blind, signal dogs for the deaf or hearing-impaired, or service dogs for the physically disabled. However this provision does not remove the owner's responsibility to vaccinate the dogs against rabies and attach a current license tag to the dog's collar. Whenever a person applies for an assistance dog identification tag, the person shall sign an affidavit as defined in California Food and Agriculture Code, Section 30850(b).

H. No fee shall be required for a license for any dog owned by a public entity.

I. Each license specified in this section shall be valid for the period specified in this section and shall be renewed within thirty (30) days after such period terminates, except that where the current vaccination for the dog which is the subject of the license shall expire prior to the expiration date of the license being applied for, the director may upon request of the owner or custodian of such dog, backdate such license so that its expiration date occurs concurrent with or prior to the expiration date of the vaccination; provided, however, that where such backdating is performed, there shall be no reduction or discount of the license fee applicable to the license applied for, and such license shall be renewed within thirty (30) days after the date of its expiration.

J. If an application for a license is made more than thirty (30) days after the date a dog license is required under this chapter, the applicant shall pay, in addition to the applicable license fee, a late fee of twenty dollars (\$20.00). A late fee for an altered dog owned by a senior citizen is established at fifteen dollars (\$15.00).

K. Whenever a dog validly licensed under this chapter shall have died more than three months before the expiration date of the license, the owner of such dog may return the license tag to the director, accompanied by a statement signed by a veterinarian or a declaration signed under penalty of perjury by the owner, indicating that such dog is dead and specifying the date of death. In such event, the license shall be canceled and a pro-rata credit of the license fee by full calendar quarters of the original license period remaining after the death of the dog may be applied during said remaining period to the license fee for another dog acquired by the same owner.

L. Upon transfer of ownership of any dog validly licensed under this chapter, the new owner shall notify the director of such transfer within thirty (30) days of such transfer, on a form prescribed by the director, accompanied by a transfer fee of six dollars (\$6.00).

M. Notwithstanding the provisions of subsection A of this section, where a person moves into the unincorporated area of the county from another community who owns a dog which is currently vaccinated against rabies and for which dog a license was issued by

such other community, such license shall be deemed valid for a period of one year from the date such person moves into the unincorporated area of the county or on the date of expiration of the license issued by such other community, whichever is earlier. If an application for a license from the director is made more than thirty (30) days after such license is required, the applicant shall pay, in addition to the applicable license fee, a late fee of twenty dollars (\$20.00).

N. If a valid license tag is lost or destroyed, a duplicate thereof may be procured from the director upon submission to the director of a statement signed by the owner of the dog containing the date and circumstances of such loss or destruction and the payment of a fee of six dollars (\$6.00).

O. Upon request of the director, any owner of a dog for which a license is required under the provisions of this chapter shall present to the director a currently valid certificate of rabies vaccination or license tag.

P. It is unlawful for any person to make use of a stolen, counterfeit or unauthorized license, tag, certificate or any other document or thing for the purpose of evading the provisions of this chapter. (Ord. 630.11 § 3 (part), 2008; Ord. 630.10 § 3, 2007; Ord. 630.7 § 2, 1999)

#### 6.08.030 Control of unspayed and unaltered cats.

It is unlawful for any person who owns, harbors or keeps any unspayed or unaltered cat four months of age or older within the unincorporated area of Riverside County to allow or permit such unspayed or unaltered cat to be or remain outdoors in such unincorporated areas. (Ord. 630.7 § 3, 1999)

#### 6.08.040 Optional licensing for cats.

An owner of a cat may be issued a license and tag for such cat upon presentation to the director of a certificate of vaccination signed by a veterinarian certifying that such a cat has been vaccinated, and upon the payment of a license fee of nine dollars (\$9.00). The license shall be valid for the period of immunity indicated in the certificate of vaccination. (Ord. 630.11 § 3 (part), 2008; Ord. 630.7 § 4, 1999)

#### 6.08.050 Mandatory licensing of kennels and catteries.

~~A. No person shall operate or maintain a kennel or a cattery as those terms are defined in Section 6.08.010(D) through (F) without first obtaining an appropriate license therefor from the director. Such license shall be valid for a period of either one or two years from the date of issuance, except that the director may, in his or her discretion, limit the duration of the license to one year when he or she deems such limitation to be appropriate. The license shall be renewed within thirty (30) days after the date of expiration. Where a kennel license has been issued and is in effect, the dogs contained in such kennel shall be exempt from the requirements of individual license tags as provided in Section 6.08.020(A). The kennel license fees, and late fees if an application for a license is made more than thirty (30) days after the date such license is required, shall be as follows:~~

“a. No person shall operate or maintain a Class I Kennel, Class II Kennel, Class III Kennel, Class IV Kennel, Sentry Dog Kennel or cattery without first obtaining an appropriate license from the Department. Such license shall be valid for a period of either one (1) or two (2) years from the date of issuance. Said license shall be renewed within thirty (30) days after the date of expiration. Where a kennel license has been issued and is in effect, the dogs contained in such kennel shall be exempt from the requirements of individual license tags as provided in Section 2 of this ordinance. The Class I Kennel, Class II Kennel, Class III Kennel, Class IV Kennel, Sentry Dog Kennel and cattery license fees, and late fees, shall be as set out below. If an application for a license or renewal of a license is made more than thirty (30) days after the date such license is required or such previous license has expired, a late fee of 50% of the applicable fee shall be added.”

Kennel License.

Class I (5—10 dogs)

- 1 year license, Unaltered\* \$280.00
- 2 year license, Unaltered\* 300.00
- 1 year license, Altered\* 180.00
- 2 year license, Altered\* 200.00

\* One acre minimum as per Ordinance No. 348.

Comments:

1. Altered: All dogs are spayed and/or neutered.
  2. Unaltered: One or more dogs are not spayed and/or neutered.
- Late fee—50% of the applicable fee(s).

Class II (11+ dogs)

- 1 year license, Unaltered\* \$400.00
- 2 year license, Unaltered\* 650.00
- 1 year license, Altered\* 250.00
- 2 year license, Altered\* 400.00

\* One acre minimum as per Ordinance No. 348.

Comments:

1. Altered: All dogs are spayed and/or neutered.
  2. Unaltered: One or more dogs are not spayed and/or neutered.
- Late fee—50% of the applicable fee(s).

“Class III (26-40 dogs)

1 year license, Un-Altered\* ..... \$500.00

2 year license, Un-Altered*	\$700.00
1 year license, Altered*	\$350.00
2 year license, Altered*	\$500.00

\*One (1) acre minimum as per Ordinance No. 348

**COMMENTS:**

1. Altered: All dogs are spayed and/or neutered
  2. Unaltered: One or more dogs are not spayed and/or neutered
- Late Fee: 50% of the applicable fee(s)."

**“Class IV (41+ dogs)**

1 year license, Un-Altered*	\$750.00
2 year license, Un-Altered*	\$900.00
1 year license, Altered*	\$500.00
2 year license, Altered*	\$650.00

\*One (1) acre minimum as per Ordinance No. 348

**COMMENTS:**

1. Altered: All dogs are spayed and/or neutered
  2. Unaltered: One or more dogs are not spayed and/or neutered
- Late Fee: 50% of the applicable fee(s)."

**“Sentry Dog Kennel**

1 year license, Un-Altered*+	\$500.00
2 year license, Un-Altered*+	\$750.00
1 year license, Altered*+	\$350.00
2 year license, Altered*+	\$500.00

\*One (1) acre minimum as per Ordinance No. 348

+ Conditional Use Permit required as per Ordinance No. 348

**COMMENTS:**

1. Altered: All dogs are spayed and/or neutered
  2. Unaltered: One or more dogs are not spayed and/or neutered
- Late Fee: 50% of the applicable fee(s)."

**Cattery License**

**Cattery License (10+ cats)**

1 year license, Unaltered*	\$280.00
2 year license, Unaltered*	400.00
1 year license, Altered*	180.00
2 year license, Altered*	200.00

\* One acre minimum as per Ordinance No. 348.

**Comments:**

1. Altered: All felines are spayed and/or neutered.
2. Unaltered: One or more felines are not spayed and/or neutered.

Late fee—50% of the applicable fee(s).

B. Application for a kennel or cattery license shall be filed with the director on a form prescribed by him or her not later than ten (10) days after obtaining written verification from the Riverside County planning department that the operation of the kennel or cattery is in compliance with the applicable provisions of Riverside County Ordinance No. 348. The application form, when completed, shall contain such information as may reasonably be required by the director for the purposes of enforcement of this chapter, including but not limited to the current home telephone number of the caretaker of the subject kennel or cattery and another current telephone number for emergency use or messages when such caretaker is absent from the subject kennel or cattery. Where a kennel or cattery is sought to be operated upon leased or rented premises, a letter of consent from the owner of the premises to the effect that the kennel or cattery may be maintained and operated on such premises shall be submitted to the director at the time the application for the kennel or cattery license is submitted.

C. After receipt of a kennel or cattery license application, the director shall make an inspection of the premises of the kennel or cattery for which a license is requested. No kennel or cattery license shall be issued nor shall any such license be renewed, unless and until the kennel or cattery, in the opinion of the director, satisfies the applicable laws and regulations of the state of California, the applicable ordinances of the county and the applicable conditions set forth in the standards for kennels and catteries adopted by resolution of the board of supervisors. Notwithstanding any other provision of this chapter, the director or the Riverside County planning director may, in their respective discretion, limit the numbers of dogs or cats over the age of four months which are kept or maintained in any kennel or cattery, and such limitation may be imposed at such time as an application for an initial kennel or cattery license is considered or at such time as an application for renewal of a kennel or cattery license is considered.

D. Notwithstanding any other provision of this chapter, the director is authorized to enter upon and inspect the premises of any kennel or cattery located in the county for the purpose of determining whether such kennel or cattery is in compliance with the provisions of this chapter and the standards for kennels and catteries referred to in subsection C of this section. As a condition of the issuance of a kennel or cattery license, each owner and operator of a kennel or cattery shall agree to allow such entry and inspection and such agreement shall be made a part of the license application. Such inspections shall be made during reasonable hours at times when the owner or operator of the kennel or cattery is present on the kennel or cattery premises, and with such frequency as the director shall deem appropriate, and such inspections may, at the discretion of the director, be made without prior notice to the owner or operator of the subject kennel or cattery. Wilful refusal on the part of a kennel or cattery owner or operator to allow such inspection shall be grounds for summary denial of an application for a kennel or cattery license or for summary suspension or revocation of a kennel or cattery license.

E. A nonprofit corporation formed pursuant to the provisions of the California Corporations Code commencing with Section 10400 for the prevention of cruelty to animals, shall not be required to pay a fee for the licenses required by subsection A of this section; provided, however, that all other provisions of Section 6.08.020 and this



section shall be applicable to any such nonprofit corporation, as well as the provisions of Section 6.08.060 of this chapter if the nonprofit corporation is an animal rescuer.

F. Notwithstanding the provisions of subsection C of this section and Section 6.08.070(A), a kennel or cattery which is in operation on April 4, 1987 and for which on such date there is in effect a current and otherwise valid license issued prior to such date pursuant to the provisions of Riverside County Ordinance No. 455, shall, for a period of twenty (20) years from this date, be required to comply only with those requirements for licensure and operation other than license fees as were required for such kennel or cattery under Riverside County Ordinance No. 455; provided, however, that where there occurs a transfer of ownership of such kennel or cattery five years or more after this date, such kennel or cattery shall, upon such transfer of ownership, be required to comply with the requirements for licensure and operation specified in this chapter. The license fees for a kennel or cattery described in the first sentence of subsection F of this section during the period such kennel or cattery is permitted, pursuant to said subsection F, to operate under the requirements of Riverside County Ordinance No. 455 shall be as follows:

1. For a kennel for which a current and otherwise valid noncommercial or commercial kennel license is in effect on and was issued by the director prior to April 4, 1987, the license fee shall be the same fee as is provided in this chapter for a kennel having the same number of dogs, and no individual licenses shall be issued for such dogs.
2. For a cattery for which a current and otherwise valid commercial cattery license is in effect on and was issued by the director prior to April 4, 1987, the license fee shall be the same fee as is provided in this chapter for a cattery.

G. A violation of this section shall be punishable as follows:

Any person violating any provision of this section shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this section is committed, continued or permitted.

Any person convicted of a violation of this section shall be: (1) guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100.00) for a first violation; (2) guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200.00) for a second violation on the same site. The third and any additional violations on the same site shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or six months in jail, or both.

Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve any person from the responsibility for correcting the violation. (Ord. 630.11 §§ 3 (part), 4, 2008; Ord. 630.8 § 1, 2002; 630.7 § 5, 1999)

#### 6.08.060 Animal rescuer.

A. Any person engaged in the rescue of animals, shall first obtain a rescue permit from the department and shall meet all requirements and standards for a kennel/cattery license.

1. For an animal rescuer that is not a valid nonprofit corporation formed pursuant to the provisions of the California Corporations Code commencing with Section 10400 for the prevention of cruelty to animals, the animal rescuer may keep two dogs with a rescue

permit and no minimum land requirement so long as all other requirements and standards for a kennel license, referred to in subsection C of this section, are met.

2. For an animal rescuer that is a valid nonprofit formed pursuant to the provisions of the California Corporations Code commencing with Section 10400 for the prevention of cruelty to animals, the animal rescuer may maintain up to ten (10) dogs with a rescue permit and no minimum land requirement so long as all other requirements and standards for a kennel license are met. Such animal rescuer shall not need to obtain a Class I kennel permit.

3. For an animal rescuer maintaining eleven (11) or more dogs a Class II kennel license is required, and the minimum land requirement shall be one acre.

4. For an animal rescuer maintaining ten (10) or more cats a cattery license is required, and the minimum land requirements shall be one acre.

B. The fees for a kennel/cattery rescue permit as a rescue facility shall be as follows:

1. Twenty-five dollars (\$25.00) for up to six dogs (with a fifteen dollar (\$15.00) late fee) for one year;

2. One hundred eighty dollars (\$180.00) for seven to ten (10) dogs (with a fifteen dollar (\$15.00) late fee) for one year or two hundred dollars (\$200.00) for two years;

3. One hundred (100) percent of the applicable kennel license permit in those cases where a cattery permit or a Class II kennel permit is required.

~~C. An animal rescuer may keep a maximum of four personal (not for adoption or sale) dogs and nine personal (not for adoption or sale) cats and must include these animals as "personal pets" on the animal rescue permit application. In those cases where the animal rescuer occupies a parcel of .5 acre to one acre, up to six dogs may be kept on the premises.~~

**"c. An animal rescuer may keep a maximum of four (4) personal (not for adoption or sale) dogs and nine (9) personal (not for adoption or sale) cats and must include these animals as "personal pets" on the animal rescue permit application."**

D. Personal dogs (not for adoption or sale) shall be individually licensed in accordance with this section.

E. A permitted rescuer obtaining animals from a shelter facility pursuant to Section 6.08.110(G) of this chapter shall not be subject to the payment of impound fees and charges specified in Section 6.08.110(A) but may be subject to the spay/neuter deposit specified in Section 6.08.120(A) of this chapter.

F. All rescued dogs and rescued cats older than four months must be spayed/neutered prior to releasing to an adopting party. In any event, the animal must be altered within thirty (30) days of receipt by the rescuer.

G. Accurate and complete records of all animals shall be maintained by the animal rescuer on forms which will be made available to the department for inspection upon request.

H. An animal rescuer may recoup, from the adopting party, the cost of any inoculations, the cost incurred by having the animal altered prior to adoption, and any costs related to the treatment of illness or injury.

I. Administration of the animal rescue program shall be the responsibility of the animal services director who shall have the authority to issue and revoke animal rescue permits. (Ord. 630.11 §§ 3 (part), 5, 2008; Ord. 630.10 § 2 (part), 2007; Ord. 630.9 § 1, 2003; Ord. 630.8 § 2, 2002; Ord. 630.7 § 6, 1999)

6.08.070 Denial, suspension, revocation and appeal of kennel or cattery license.

A. The director may, in his or her discretion, deny any application for a kennel or cattery license whether such application is for an original license or renewal of a license, and may suspend or revoke any kennel or cattery license if he or she finds that a kennel or cattery fails to meet any or all of the standards for kennels and catteries referred to in Section 6.08.050(C) or is in violation of any law of the state of California or any provision of this chapter, any provision of any other county ordinance or provision of a conditional use permit.

B. When such denial, suspension or revocation occurs, the director shall prepare a written notice of such denial, suspension or revocation which shall contain a brief statement of the reason or reasons for such denial, suspension or revocation. The director shall serve such notice upon the applicant or licensee by hand-delivery or by registered or certified mail, postage prepaid, return receipt requested. Denial, suspension or revocation shall be effective thirty (30) days after service of such notice. Where an application for a kennel or cattery license is denied or where a kennel or cattery license issued pursuant to this chapter is revoked, no application for a new license for such kennel or cattery shall be considered for a period of one year from the effective date of such denial or revocation; provided, however, that for good cause shown the board of supervisors may direct that there be a lesser period of time before such application will be considered.

C. Any person whose application has been denied or whose license has not been renewed, or whose license has been suspended or revoked, may appeal such denial, nonrenewal, suspension or revocation by filing with the clerk of the board of supervisors within fifteen (15) days after notice of such denial, suspension or revocation, a written notice of appeal briefly setting forth the reasons why the appellant alleges such denial, nonrenewal, suspension or revocation is improper. Within five days of the receipt by the clerk of such notice of appeal, the clerk shall set a hearing date for the appeal and shall give written notice of the date, time and place of such hearing to the appellant, and such notice shall be sent by registered or certified mail, postage prepaid, return receipt requested. The date of hearing shall be not less than twenty (20) days from the date of mailing of the notice of the date, time and place of the hearing, and the hearing shall be conducted not later than forty-five (45) days from the date of mailing of the notice of denial, nonrenewal, suspension or revocation; provided, however, that at the request of the appellant, the clerk of the board may extend the hearing date for a reasonable period beyond the aforementioned forty-five (45) day limit. The appeal shall be heard by the board of supervisors which may affirm, modify or reverse the denial, nonrenewal, suspension or revocation. In conducting the hearing, the board of supervisors shall not be limited by the technical rules relating to evidence and witnesses, as applicable in courts of law. To be

admissible, evidence shall be of the type upon which responsible persons are accustomed to rely in the conduct of serious affairs.

During the pendency of the appeal, there shall be in effect an automatic stay of the denial, nonrenewal, suspension or revocation; provided, however, that during the period of pendency the director may take such action as he or she deems appropriate under this chapter or any other provision of law respecting the subject kennel or cattery, including but not limited to the abatement of public nuisances, inspection of the kennel or cattery premises, or the prosecution of any violation of this chapter or any other provision of law not related to the failure of the subject kennel or cattery to be currently and otherwise validly licensed. (Ord. 630.11 § 3 (part), 2008; Ord. 630.7 § 7, 1999)

#### 6.08.080 Duties and powers of officers.

A. It is the duty of all peace officers within the county, to cooperate with and assist the director, environmental health director and the animal services director in the enforcement of the provisions of this chapter, and in the enforcement of California State law relating to the regulation, care and/or keeping of animals, and such peace officers and the animal services director/designee shall be empowered to:

1. Receive, take up and impound any dog or other animal found running at large in violation of this chapter, of any other ordinance or of any law of the state of California;
2. Issue a warning notice for, citation for, or investigate any violation of any provisions of any county ordinance or California law regarding the care or keeping of animals;
3. Investigate whether a dog is licensed in compliance with the requirements of this chapter;
4. Seize and impound any animal as authorized by this chapter or any other ordinance or state law. When the animal to be taken or seized is located inside a private residence or in its curtilage, a judicial order directing seizure of the animal shall, absent exigent circumstances, be obtained prior to seizure;
5. Regularly and adequately feed, water and otherwise care for any animals impounded under the provisions of this chapter, other ordinance or state law or to provide for such feeding and/or watering and care;
6. Follow the provisions of the Riverside County Ordinance No. 716 in humanely destroying or giving emergency care to sick or injured animals.

B. Any peace officer, the department officer, the animal services director, the environmental health director, or the director charged with the responsibility for enforcement of the provisions of this chapter, or other ordinance or state law governing animals may arrest a person without warrant whenever he or she has reasonable cause to believe that the person to be arrested has committed an infraction or misdemeanor in his or her presence, or a felony which is in violation of this chapter or other ordinance governing animals or California law regulating the care and/or keeping of animals.

C. In any case in which a person arrested, does not demand to be taken before a magistrate: (1) regarding any infraction, such officer or employee making the arrest shall prepare a written notice to appear and shall release the person on his/her promise to appear, as prescribed by Section 853.5 of the California Penal Code; (2) regarding a misdemeanor, such officer or employee may prepare a written notice to appear and may release the person on his or her written promise to appear, as prescribed by California

Penal Code Section 853.6. (Ord. 630.11 § 3 (part), 2008; Ord. 630.10 § 2 (part), 2007; Ord. 630.7 § 8, 1999)

6.08.090 Entry upon private property.

Unless otherwise prohibited by law, all persons whose duty it is to enforce the provisions of this chapter are empowered to enter upon private property, where any dog, cat or animal is kept or reasonably believed to be kept, for the purpose of ascertaining whether such animal is being kept in violation of any provision of this chapter, other ordinance governing animals, or California State law relating to the regulation, care and/or keeping of animals.

Notwithstanding any provision in this chapter relating to entry upon private property for any purpose under this chapter, no such entry may be conducted: (a) without the express or implied consent of the property owner or the person having lawful possession thereof; (b) unless an inspection warrant has been issued and the entry is conducted in accordance with California Code of Civil Procedure, Sections 1822.50 through 1822.56, inclusive; or (c) except as may otherwise be expressly or impliedly permitted by law. (Ord. 630.7 § 9, 1999)

6.08.100 Capture of dogs running at large.

In the interest of public health and safety, it shall be lawful for any person to take up, in a humane manner, any dog running at large in violation of this chapter and to promptly deliver such dog to the animal services director. (Ord. 630.10 § 2 (part), 2007; Ord. 630.7 § 10, 1999)

6.08.110 Impounded dogs and cats and service fees.

A. An impounded dog or cat may be redeemed upon payment of the following fees:

1. For the first impoundment within a twelve (12) month period, forty dollars (\$40.00) plus a twelve dollar (\$12.00) boarding fee for each day of impoundment. If the animal is unaltered and the owner provides proof of spaying or neutering within sixty (60) days of payment of the above fees, the forty dollars (\$40.00) impound fee shall be refunded; or if the animal is impounded in a facility where spay/neuter surgeries are performed, and the owner pays for and has the surgery performed before the animal leaves the facility, the impound fee of forty dollars (\$40.00) shall be waived.

2. For the second impoundment within a twelve (12) month period, sixty dollars (\$60.00) plus a twelve dollar (\$12.00) boarding fee for each day of impoundment. If the animal is unaltered and the owner provides proof of spaying or neutering within sixty (60) days of payment of the above fees, the sixty dollar (\$60.00) impound fee shall be refunded; or if the animal is impounded in a facility where spay/neuter surgeries are performed, and the owner pays for and has the surgery performed before the animal leaves the facility, the fee of sixty dollars (\$60.00) shall be waived.

3. For the third or subsequent impoundment within a twelve (12) month period, one hundred dollars (\$100.00) plus a twelve dollar (\$12.00) boarding fee for each day of impoundment. If the animal is unaltered and the owner provides proof of spaying or

neutering within sixty (60) days of payment of the above fees, the one hundred dollars (\$100.00) impound fee shall be refunded; or if the animal is impounded in a facility where spay/neuter surgeries are performed, and the owner pays for and has the surgery performed before the animal leaves the facility, the impound fee of one hundred dollars (\$100.00) shall be waived.

4. Notwithstanding any other provisions of this chapter, where a sterile dog or sterile cat belonging to a person sixty (60) years of age or older is impounded and the owner produces a certificate, signed by a veterinarian that such animal is permanently unable to reproduce, the base impoundment fee for such animal shall be fifty (50) percent of the applicable impoundment fee specified in this chapter plus twelve dollars (\$12.00) for each day of impoundment.

B. The fee for destruction and disposal of any dog, cat, or small animal in accordance with any provision of this chapter, shall be twenty-five dollars (\$25.00).

C. Any dog, four months of age or older, which has been impounded shall not be released from impoundment unless it is licensed in accordance with the provisions of this chapter.

D. Any officer acting under the provisions of this chapter and impounding a licensed dog pursuant to Section 6.08.080(A) or (D) of this chapter or a licensed cat, shall give written notice by first class mail, postage prepaid, to the last known address of the owner, of the impounding of such dog or cat. If such dog or cat is not redeemed within ten (10) days from the date of the mailing of such notice, the officer having custody of the dog or cat shall dispose of it in accordance with the provisions of subsection G of this section, or shall destroy such dog or cat.

E. Upon impounding an unlicensed dog pursuant to Section 6.08.080(A) or (D) of this chapter or an unlicensed cat, the officer shall give notice to the owner, if the owner and his or her whereabouts are known, of the impounding of such dog or cat. If such dog or cat has not been redeemed within five days of the giving of such notice, the officer shall dispose of such dog or cat in accordance with the provisions of subsection G of this section, or shall destroy such dog or cat. For the purpose of this subsection, the notice specified herein shall be given in the manner determined by the officer as expedient under the circumstances.

F. The officer having custody of any impounded dog, cat, or other animal may, by humane methods, summarily destroy such dog, cat, or other animal if:

1. The animal is suffering from any incurable, dangerous or contagious disease, providing a veterinarian shall certify, in writing, that such animal is so suffering; or, in the officer's best judgment it would be inhumane and cause needless suffering to prolong the life of the animal in order to see a veterinarian; or
2. It is an unlicensed vicious dog, cat, or other animal.

G. Any officer having in his or her custody any unredeemed, impounded dog or cat may release such dog or cat to any adult individual upon payment by that individual of the impound fees and charges specified in subsection A of this section and the spay/neuter deposit fee specified in Section 6.08.120(A) of this chapter, or to a nonprofit corporation formed under the provisions of the California Corporations Code commencing with Section 10400 for the prevention of cruelty to animals or to a nonprofit organization formed under the laws of the state of California for the prevention of cruelty to animals, for such sale or placement as such nonprofit corporation or nonprofit organization may choose. Releases of dogs or cats to such nonprofit corporations or nonprofit organizations

pursuant to this subsection shall not be subject to the payment of the impound fees and charges specified in subsection A of this section, but shall be subject to the spay/neuter deposit specified in Section 6.08.120(A) of this chapter.

H. It is unlawful for any person to remove an impounded animal from an animal control center without the permission of the officer in charge thereof.

I. Animal control officers choosing to return an impounded animal to the owner, in the field, may collect a field return impound fee of thirty dollars (\$30.00).

J. Animal control officers picking up owned animals at the request of the owner, shall collect a fee of thirty dollars (\$30.00) from the owner.

K. Animal control officers investigating and authorizing a home quarantine shall collect a fee of fifty dollars (\$50.00) from the owner or custodian of the animal.

L. Animal control officers providing assistance with trap service, for owned feral animals or nuisance wildlife that are not considered a public health risk, shall collect a service fee of twenty dollars (\$20.00) for the first five days and two dollars (\$2.00) per day for each additional day after the fifth day. A fee of ninety dollars (\$90.00) shall be charged for traps which are lost or destroyed.

M. Owners of animals impounded for quarantine at a county facility shall be charged a quarantine fee of five dollars (\$5.00) per day in addition to the regular daily boarding fee.

~~N. The hourly rate for the recovery of administrative costs associated with the recoupment of enforcement costs, as provided in Section 6.08.210 shall be fifty-three dollars (\$53.00).~~

“n. The hourly rate for the recovery of administrative costs associated with the recoupment of enforcement costs, as provided in this Ordinance, shall be \$53.00.”

O. The fee for a micro-chip identification device shall be included in the cost of adoption, when adopting an animal from a county animal shelter and fifteen dollars (\$15.00) per animal for all others.

P. For the taking up of animals after normal business hours - ninety dollars (\$90.00) per hour. This after hours' fee is in addition to any other applicable fees set forth in this chapter.

Q. The fee for adopting any unredeemed, impounded dog or cat is a flat-rate fee that includes vaccinations and deworming, micro-chipping, spay or neutering (if required) and adoption charges. The adoption fee shall be seventy-five dollars (\$75.00) for any cat and ninety-five dollars (\$95.00) for any dog. For senior citizens sixty (60) years of age or older, the adoption fee shall be forty-five dollars (\$45.00) for any cat and sixty-five dollars (\$65.00) for any dog. The flat-rate adoption fee may be waived at the discretion of the director or his or her designee, to eliminate the euthanasia of adoptable dogs and cats. Twenty-five (25) percent of the flat-rate adoption fee may be waived if the animal is adopted by the foster care provider currently providing care for the animal. (Ord. 630.11 §§ 3 (part), 6, 2008; Ord. 630.10 § 4, 2007; Ord. 630.7 § 11, 1999)

#### 6.08.120 Spay/neuter deposits for dogs and cats.

A. No person shall be permitted to adopt or purchase any dog or cat which has not been spayed or neutered, from any public animal shelter, society or organization, unless or

until a deposit in the amount of forty dollars (\$40.00) has been paid by the adopting person or purchaser to the shelter, society or organization from which the subject dog or cat is being adopted or purchased, with the exception that when a female or her offspring are adopted or purchased by one person, only a single such deposit shall be required. The department may enter into cooperative agreements with rescue groups, veterinarians, animal shelters, and humane society shelters in lieu of requiring spay and neuter deposits.

B. Upon the presentation to the director of a written statement or receipt from a veterinarian that such adopted or purchased dog or cat has been spayed or neutered, all but five dollars (\$5.00) of such deposit as is specified in subsection (A) of this section shall be refunded to the person who paid the deposit.

C. Notwithstanding the provisions of subsection B of this section, any dog or cat over four months of age at the time it is adopted or purchased, shall be spayed or neutered within thirty (30) days of the date of adoption or purchase or the deposit provided in subsection (A) of this section shall be deemed unclaimed and nonrefundable unless an extension, for good cause, is granted by the director. The adopter or purchaser must present proof of spaying or neutering within sixty (60) days of obtaining the proof or the deposit shall be deemed unclaimed and nonrefundable. Whenever possible, animals will be altered prior to adoption.

D. Notwithstanding the provisions of subsection (B) of this section, any dog or cat under the age of four months at the time it is adopted or purchased, shall be spayed or neutered before reaching five months of age or the deposit provided in subsection (A) of this section shall be deemed unclaimed and nonrefundable unless an extension, for good cause, is granted by the director. The adopter or purchaser must present proof of spaying or neutering within sixty (60) days of obtaining the proof or the deposit shall be deemed unclaimed and nonrefundable. (Ord. 630.11 §§ 3 (part), 7, 2008; Ord. 630.7 § 12, 1999)

*Existing 13 moved to 15*

*Section 7. A new Section 13 is added to Ordinance No. 630.11 to read as follows:*

**“Section 13. a. MANDATORY SPAYING AND NEUTERING**

**1. Requirement. No person may own, keep, or harbor an unaltered and unspayed dog or cat in violation of this Section. An owner or custodian of an unaltered dog must have the dog spayed or neutered, or provide a certificate of sterility, or obtain an unaltered dog license in accordance with this ordinance. An owner or custodian of an unaltered cat must have the animal spayed or neutered, or provide a certificate of sterility.**

**2. Exemptions. This section shall not apply to any of the following:**

**A. A dog with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation of this fact from a California licensed Veterinarian. If the dog is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation; should this date be later than thirty (30) days, the owner or custodian must apply for an unaltered dog license.**

**B. A cat with a high likelihood of suffering serious bodily harm or death if spayed or neutered, due to age or infirmity. The owner or**



custodian must obtain written confirmation of this fact from a California licensed Veterinarian. If the cat is able to be safely spayed or neutered at a later date, that date must be stated in the written confirmation.

**b. DENIAL OR REVOCATION OF UNALTERED DOG LICENSE AND RE APPLICATION**

1. The Department may deny or revoke an unaltered dog license for one or more of the following reasons:

A. The owner, custodian, applicant or licensee is not in compliance with all of the requirements of this section;

B. The Department has received at least two complaints, verified by the Department, that the owner, custodian, applicant, or licensee has allowed a dog to be stray or run at large or has otherwise been found to be neglectful of his or her or other animals;

C. The owner, custodian, applicant, or licensee has been previously cited for violating a state law, county code or other municipal provision relating to the care and control of animals;

D. The unaltered dog has been adjudicated by a court or an agency of appropriate jurisdiction to be potentially dangerous, dangerous or vicious, or to be nuisance within the meaning of the Riverside County Ordinances or under state law;

E. Any unaltered dog license held by the applicant has been revoked;

F. The license application is discovered to contain a material misrepresentation or omission of fact.

2. Re-application for unaltered dog license:

A. When an unaltered dog license is denied, the applicant may re-apply for a license upon changed circumstances and a showing that the requirements of this ordinance have been met. The Department shall refund one-half of the license fee when the application is denied. The applicant shall pay the full fee upon re-application.

B. When an unaltered dog license is revoked, the owner or custodian of the dog may apply for a new license after a thirty (30) day waiting period upon showing that the requirements of this ordinance have been met. No part of an unaltered dog license fee is refundable when a license is revoked and the applicant shall pay the full fee upon re-application.

**c. APPEAL OF DENIAL OR REVOCATION OF UNALTERED DOG LICENSE.**

1. Request for hearing.

A. Notice of intent to deny or revoke. The Department shall mail to the owner, custodian, licensee, or applicant a written notice of its intent to deny or revoke the license for an unaltered dog which includes the reason(s) for the denial or revocation. The owner, custodian, licensee or applicant may request a hearing to appeal the denial or revocation. The request must be made in writing within ten (10) days after the notice of intent to deny or revoke is mailed. Failure to submit a timely written hearing request shall be deemed a waiver of the right to appeal the license denial or revocation.

B. Hearing officer. The hearing shall be conducted by the Animal

**Services Director's designee.**

**C. Notice and conduct of hearing.** The Department shall mail a written notice of the date, time, and place for the hearing not less than ten (10) days before the hearing date. The hearing date shall be no more than thirty (30) days after the Department's receipt of the request for a hearing. The hearing will be informal and the rules of evidence will not be strictly observed. The Department shall mail a written decision to the owner or custodian within ten (10) days after the hearing. The decision of the hearing officer shall be the final administrative decision.

**2. Change in location of dog.** If the dog is moved after the Department has issued a letter of intent to deny or revoke, but has not yet denied or revoked the license, the owner, custodian, licensee, or applicant must provide the Department with information as to the dog's whereabouts, including the current owner or custodian's name, address, and telephone number.

**d. TRANSFER, SALE, AND BREEDING OF UNALTERED DOG OR CAT.**

**1. Offer for sale or transfer of unaltered dog.** An owner or custodian who offers any unaltered dog for sale, trade, or adoption must include a valid unaltered dog license number with the offer of sale, trade or adoption, or otherwise state and establish compliance with this section. The unaltered license and microchip numbers must appear on a document transferring the animal to the new owner.

**2. Offer for sale or transfer of unaltered cat.** An owner or custodian of an unaltered cat must notify the Department of the name and address of the transferee within ten days after the transfer. The microchip numbers must appear on a document transferring the animal to the new owner.

**e. PENALTIES.** Penalties issued for failure to spay or neuter a dog or cat shall be enforced as set forth below:

**1. An administrative citation, infraction, or other such authorized penalty may be issued to an owner or custodian of an unaltered dog or cat for a violation of this section only when the owner or custodian is concurrently cited for another violation under state or local law pertaining to the obligations of a person owning or possessing a dog or cat. Examples of such state law or local ordinance violations include, but are not limited to, the following: failure to possess a current canine rabies vaccination of the subject dog; dog or cat at large; failure to license a dog; leash law violations; kennel or cattery permit violations; tethering violations; unhealthy or unsanitary conditions; failure to provide adequate care for the subject dog or cat in violation of the Penal Code; rabies quarantine violations for the subject dog; operating a business without a license and/or lack of State Tax ID Number; fighting dog activity in violation of Penal Code section 597.5; animals left unattended in motor vehicles; potentially dangerous, dangerous or vicious animals; and noisy animals.**

**2. Should the owner or custodian of an unaltered dog or cat be found in violation of a state or local law, as stated above, in subsection (1), the owner or custodian shall be required to spay or neuter the unaltered animal in accordance with this section.**

**f. IMPOUNDMENT OF UNALTERED DOG OR CAT**

**1. When an unaltered dog or cat is impounded pursuant to state and/or local**

law, in addition to satisfying applicable requirements for the release of the animal, including but not limited to payment of impound fees pursuant to this Ordinance, the owner or custodian shall also do one of the following:

A. Provide written proof of the dog or cat's prior sterilization, if conditions cannot or do not make this assessment obvious to Department personnel;

B. Have the dog or cat spayed or neutered by a Department veterinarian at the expense of the owner or custodian. Such expense may include additional fees due to extraordinary care required;

C. Have the dog or cat spayed or neutered by another California licensed veterinarian. The owner or custodian may arrange for another California licensed veterinarian to spay or neuter the animal, and shall pay to the Department the cost to deliver said animal to the chosen veterinarian. The cost to deliver the animal shall be based on the Department's hourly rate established by the Auditor-Controller. The veterinarian shall complete and return to the Department within ten days, a statement confirming that the dog or cat has been spayed or neutered or is, in fact, incapable of breeding and shall release the dog or cat to the owner or custodian only after the spay or neuter procedure is complete;

D. At the discretion of the Director, the dog or cat may be released to the owner or custodian if he or she signs a statement under penalty of perjury, representing that the dog or cat will be spayed or neutered and that he or she will submit a statement within ten (10) days of the release, signed by the veterinarian, confirming that the dog or cat has been spayed or neutered or is incapable of breeding; or

E. If the owner or custodian demonstrates compliance with this Section.

## 2. Costs of Impoundment.

A. The owner or custodian of the unaltered dog or cat shall be responsible for the costs of impoundment, which shall include daily board costs, vaccination/medication, and any other diagnostic or therapeutic applications as provided in this Ordinance.

B. The costs of impoundment shall be a lien on the dog or cat, and the unaltered animal shall not be returned to its owner or custodian until the costs are paid. If the owner or custodian of an impounded unaltered animal does not pay the lien against it in full within fourteen (14) days, the animal shall be deemed abandoned to the Department in accordance with this Ordinance.

g. APPLICATION OF FEES AND FINES COLLECTED. All costs and fines collected under this part and the fees collected under this Section, subsection (f) shall be paid to the Department for the purpose of defraying the cost of the implementation and enforcement of this program."

*Section 8. A new Section 14 is added to Ordinance No. 630.11 to read as follows:*

## "Section 14. MANDATORY MICROCHIPPING OF DOGS AND CATS

a. All dogs and cats over the age of four months must be implanted with an

identifying microchip. The owner or custodian is required to provide the microchip number to the Department, and shall notify the Department of any change of ownership of the dog or cat, or any change of address or telephone number. Nothing in this section supersedes, eliminates, or alters the requirements of sections 2, 5, and any other licensing requirements of this ordinance.

b. Exemptions. The mandatory microchipping requirements shall not apply to any of the following:

1. A dog or cat with a high likelihood of suffering serious bodily injury, if implanted with the microchip identification, due to the health conditions of the animal. The owner or custodian must obtain written confirmation of that fact from a California licensed Veterinarian. If the dog or cat is able to be safely implanted with an identifying microchip at a later date, that date must be stated in the written confirmation.

2. A dog or cat which would be impaired of its athletic ability or performance if implanted with the microchip identification. The owner or custodian must obtain written confirmation of that fact from a California licensed Veterinarian. If the dog or cat is able to be safely implanted with an identifying microchip at a later date, that date must be stated in the written confirmation.

3. A dog or cat that is kenneled or trained in Riverside County, but is owned by an individual that does not reside in Riverside County. The owner or custodian must keep and maintain the animal in accordance with the applicable laws and ordinances of the jurisdiction in which the owner or custodian of the animal permanently resides, including but not limited to the applicable licensing and rabies vaccination requirements of that jurisdiction.

c. Transfer, sale of dogs and cats.

1. An owner or custodian who offers any dog, over the age of four months, for sale, trade, or adoption must provide the microchip identification number and the valid dog license number with the offer of sale, trade or adoption. The license and microchip numbers must appear on a document transferring the dog to the new owner. The owner or custodian shall also advise the Department of the name and address of the new owner or custodian in accordance with subdivision (a) of this section. An owner or custodian who offers any dog, over the age of four months, for sale, trade, or adoption and fails to provide the Department with the name and address of the new owner, is in violation of this ordinance and shall be subject to the penalties set forth herein.

2. An owner or custodian who offers any cat, over the age of four months, for sale, trade, or adoption must provide the microchip identification number with the offer of sale, trade or adoption. The microchip numbers must appear on a document transferring the cat to the new owner. The owner or custodian shall also advise the Department of the name and address of the new owner or custodian in accordance with subdivision (a) of this section. An owner or custodian who offers any cat, over the age of four months, for sale, trade, or adoption and fails to provide the Department with the name and address of the new owner, is in violation of this ordinance and shall be subject to the penalties set forth herein.

3. When a puppy or kitten under the age of four months implanted with microchip identification is sold or otherwise transferred to another person, the owner or custodian shall advise the Department of the name and address of the new owner or custodian, and the microchip number of the puppy or kitten within ten days after the transfer. If it is discovered that an owner or custodian has failed to provide the Department with the name and address of the new owner and the microchip number of the puppy or kitten, the owner or custodian shall be subject to the penalties set forth in this ordinance.

d. When an impounded dog or cat is without microchip identification, in addition to satisfying applicable requirements for the release of the animal, including but not limited to payment of impound fees pursuant to this Ordinance, the owner or custodian shall also do one of the following:

1. Have the dog or cat implanted with a Department microchip by a Department registered veterinarian technician or veterinarian or designated personnel at the expense of the owner or custodian;

2. Have the dog or cat implanted with a Department approved microchip by a California licensed veterinarian. The owner or custodian may arrange for another California licensed veterinarian to perform the implant, and shall pay to the Department the cost to deliver the dog or cat to the chosen veterinarian. The cost to deliver the dog or cat shall be based on the Department's hourly rate established by the Riverside County Auditor-Controller. The veterinarian shall complete and return to the Department within ten days, a statement confirming that the microchip has been implanted, provide the Department with the number and shall release the dog or cat to the owner or custodian only after the procedure is complete; or.

3. At the discretion of the Director of Animal Services, the dog or cat may be released to the owner or custodian if he or she signs a statement under penalty of perjury, representing that the dog or cat will be implanted with a microchip and that he or she will submit a statement within ten (10) days of the release, signed by a California licensed veterinarian, confirming that the dog or cat has been so implanted and provide the microchip number to the Department or allow the Department to scan the dog or cat for the microchip to verify.

e. Fees for microchip identification device. The fee for an identifying microchip device shall be included in the cost of adoption when adopting a dog or cat from a Riverside County animal shelter. The fee for an identifying microchip device shall be the amount set forth in Section 11, subdivision (o) per animal for all other animals. If an animal has already been implanted with an identifying microchip device by some other facility, there will be no fee to have the identification microchip number entered into the Department's registry as required by subdivision (a) of this section.

f. Penalties

1. An owner or custodian in violation of this section may be issued an administrative citation, pursuant to the Administrative Citations and Penalties section set forth in this Ordinance, for failure to microchip the owner or custodian's dog or cat.

2. If an administrative citation is issued for violation of this Section of this ordinance, persons receiving such administrative citation, may choose to clear the citation within ten (10) calendar days, thereby avoiding potentially higher penalty, by demonstrating their compliance with the mandatory microchipping requirement of subdivision (a) of this section to the Director and paying an administrative fee of twenty dollars (\$20.00) to the Department.

g. Allocation of fees and fines collected. All costs, fees, and fines collected under this section shall be paid to the Department for the purpose of defraying the cost of the implementation and enforcement of this program and for low cost microchipping programs administered by the Department."

*Section 9. Existing Sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 are renumbered 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 respectively.*

6.08.130- 150 Public spay and neuter clinics.

A. Authority for Clinics. The director is authorized and directed to establish clinics at which members of the public that are residents of Riverside County may have dogs and

cats spayed or neutered in a humane manner. Fees for services provided by such clinics shall be determined in a minimum amount, to offset costs of operation of such clinics and shall be consistent with the intent of this chapter for providing low-cost, nonprofit public spay and neuter services. Fees shall be established by the board of supervisors.

B. Persons submitting dogs or cats for the above service shall sign a consent form certifying thereon under penalty of perjury that they are the owner of the animals or are otherwise authorized to present the animal for the above operation and such persons may be required to furnish proof of such ownership or authority.

Such consent shall contain a waiver of any and all liability of the county, the animal control department and any other county employees for any injury or death to an animal arising out of the aforementioned operation or any services provided incidental thereto.

C. The department shall establish a return date by which persons submitting animals for the above operation shall pick up said animals or be subject to reasonable board care fees to commence the day after such return date.

Failure to pick up an animal within fifteen (15) days of the return date shall be deemed abandonment of the animal and the animal control officer may dispose of it by sale or destruction.

D. Fees for Spay and Neuter Services. The fees for spay and neuter services at clinics established by the director shall be as follows:

1. Any dog: fifty dollars (\$50.00);
2. Any cat: twenty-five dollars (\$25.00).

The above spay and neuter fees will be included in the flat-rate adoption fee at the time of adoption if the dog or cat is adopted from a county animal shelter.

(Ord. 630.11 § 3 (part), 2008; Ord. 560.1 §§ 1, 2, 2007; Ord. 560, 1976)

#### 6.08.140 160 Stray or barking dogs.

A. It is unlawful for the owner or person in charge of any dog, whether licensed or unlicensed, to permit such dog to run at large.

B. It is unlawful for any person to keep or allow to be kept, or suffer or permit any dog to remain upon the premises under the control of such person, when such dog habitually barks, whines or makes loud or unusual noises in such a manner as to disturb the peace and quiet of the neighbors surrounding or in the vicinity of such premises, or whose barking or howling or other sound or cry interferes with any person of ordinary sensitivity in the reasonable and comfortable enjoyment of life and property. (Ord. 630.7 § 13, 1999)

#### 6.08.150 170 Cat trapping.

It is unlawful for any person to set or maintain an operating trap for a cat unless a sign is posted on the property stating that such a trap is in use on the property. The sign shall be clearly visible from the road serving the property on which the trap is set or maintained and shall remain posted and visible at all times while the trap is in use. Trapping shall not continue for more than ten (10) days in a thirty (30) day period. (See Resolution No. 89-148.). If a person maintaining a trap should trap a lactating female cat, the person shall immediately release the cat thereby eliminating the chance of removing a cat that may be

nursing kittens. This section shall not apply when the trap is being used for rabies control as determined in writing by the department of animal services. (Ord. 630.11 § 8, 2008; Ord. 630.7 § 14, 1999)

6.08.160 180 Rabies suppression, control and quarantine.

- A. If it shall appear to the director that any animal has rabies, the director may destroy such animal forthwith, or may hold such animal for further examination or observation for such time as the director may determine to be appropriate.
- B. Whenever any animal has been bitten by an animal which has rabies, which exhibits any symptoms of rabies or which is otherwise suspected of having or having been exposed to rabies, the owner or person having custody of such bitten animal shall immediately notify the director, and shall immediately confine the animal and maintain that confinement until it is established, to the satisfaction of the director, that such animal does not have rabies. The director shall have the power to quarantine any such animal, or impound it at the owner's expense if the owner or person having custody of such animal shall fail, refuse, or is unable, in the opinion of the director, to adequately confine such animal immediately, or in the event the owner or person having custody of such animal is not readily accessible.
- C. Whenever it is shown that any animal has bitten any person, the owner or person having custody of such animal shall, upon the order of the director, quarantine such animal and keep it confined at the owner's expense for a minimum period of ten (10) days for dogs and cats and fourteen (14) days for all other animals, and shall allow the director to make an inspection or examination of such animal at any time during such period of quarantine. Animals quarantined pursuant to this subsection shall not be removed from the premises upon which such animal is quarantined without permission of the director. The director is authorized to impound any animal at the owner's expense in the event the owner or person having custody of such animal fails or refuses to so confine such animal. Animals quarantined pursuant to this subsection shall remain under quarantine until notice is given by the director that such quarantine is terminated.
- D. The director may, at his or her discretion, post or cause to be posted an appropriate sign on any premises where an animal is quarantined pursuant to this chapter, for the purpose of warning the public of the fact of such quarantine. It is unlawful for any person to remove a sign posted pursuant to this subsection without the permission of the director.
- E. Whenever the director shall determine that an epidemic of rabies exists or is threatened, the director shall have the authority to take such measures as may be reasonably necessary to prevent the spread of the disease, including but not limited to the declaration of quarantine against any or all animals in any area of the county as the director may determine and define, for a period of not more than one hundred twenty (120) days. An additional or extended quarantine period may also be declared if such additional or extended quarantine period shall be deemed necessary by the director for the protection and preservation of the public health, peace and safety. Any quarantine declared pursuant to this subsection, other than as restricted herein, shall be upon such conditions as the director may determine and declare.
- F. No person shall bring a dog into an unincorporated area of the county from any city located in the county in which a reported case of rabies exists or has existed within the



past six months, nor shall any person bring a dog into the unincorporated area of the county from any county, city, state or country in which a reported case of rabies exists or has existed within the preceding six months.

G. In order to protect the public health from the hazard of rabies which has been found to exist in skunks, a quarantine is imposed to continue until released by the director, whereby it is prohibited to trap or capture skunks for pets; to trap, capture, or hold skunks in captivity for any reason; to transport skunks from or into the county except pursuant to a permit issued by the California Department of Health Services pursuant to Title 17, California Administrative Code, Section 2606.8.

H. Any exotic or hybrid animal shall be vaccinated and/or quarantined pursuant to state law. (Ord. 630.11 § 3 (part), 2008; Ord. 630.7 § 15, 1999)

6.08.170 190 Placement requirements.

A. Any person who within the unincorporated area of Riverside County, or any business entity or other organization located in or doing business in the unincorporated area of Riverside County which, advertises or offers in any manner, puppies or dogs for sale, trade, barter or to be given away for free, must display in such advertisements, announcement or flyer the following information:

1. The license number and name of the licensing agency of each of the mother animals any of whose offspring are so offered (in the case of puppies under four months of age);
2. The license number and name of licensing agency of each of the dogs (in the case of animals four months or more of age);
3. The kennel and/or rescue permit number and name of the permitting agency of the owner of each of the mother animals any of whose offspring are so offered (in the case of puppies under four months of age); and/or
4. The kennel permit and/or rescue number and name of the permitting agency of the owner of each of the dogs so offered (in the case of animals four months or more of age).

B. This section shall not apply to public animal shelters or nonprofit humane societies which are in compliance with Food and Agricultural Code Sections 30503 and 31751, nor shall it apply to persons who relinquish animals to such shelters or societies.

C. A violation of this section shall be punishable as follows:

1. For a first violation, the owner shall be subject to a one hundred dollar (\$100.00) fine. This fine may be waived and the citation dismissed if within thirty (30) days after receiving the citation the party has had the mother animal spayed and has provided proof of the spaying to the department.
2. For a second violation, the owner shall be subject to a two hundred dollar (\$200.00) fine.
3. For any subsequent violation, the owner shall be subject to a four hundred dollar (\$400.00) fine.

D. Violators subject to citation are to be furnished with a list of low-cost or no-cost spay and neuter resources.

E. It is unlawful for any person to make use of a stolen, counterfeit or unauthorized license, tag, certificate or any other document or thing for the purpose of evading the provisions of this section.

F. Fifty (50) percent of all fees collected pursuant to this section may be used for the general costs of the department. The remaining fifty (50) percent of all such fees shall be placed in a separate fund to be used exclusively for low-cost spay and neuter services and education related to the benefits of spaying and neutering. (Ord. 630.11 § 3 (part), 2008; Ord. 630.10 § 5, 2007; Ord. 630.7 § 16, 1999)

~~6.08.180~~ 200 Prohibition of sales or the giving away of dogs and cats on public property.

No person shall, in the unincorporated area of Riverside County, offer for sale or sell or give away or transfer for adoption any cat, kitten, dog or puppy on any public street, public sidewalk or public park. (Ord. 630.7 § 17, 1999)

~~6.08.190~~ 210 Enforcement.

A. The animal services director shall supervise the administration and enforcement of this chapter and of the laws of the state of California pertaining to the control of dogs and shall have charge of animal control center employees and facilities.

B. The board of supervisors may enter into a written agreement or agreements with any veterinarian, organized humane society, association, person, corporation or organization which will undertake to carry out the provisions of this chapter and maintain and operate a shelter, and which will license, take up, impound and dispose of animals. Any such veterinarian or society or association which shall enter into such an agreement shall carry out all of the provisions of this chapter in the manner prescribed in this chapter.

C. It is unlawful for any person to interfere with, oppose or resist any officer, employee or person empowered to enforce the provisions of this chapter while such officer, employee or person is engaged in the performance of his or her duties as provided in this chapter.

D. Nothing in this chapter shall prevent the animal services director from acting, when he or she deems it appropriate to do so, under the applicable provisions of California Penal Code, Section 597, et seq. (Ord. 630.10 §§ 2 (part), 7 (part), 2007; Ord. 630.7 § 19, 1999)

~~6.08.200~~ 220 Violation—Penalty.

Any person violating any of the provisions of this chapter shall be guilty of an infraction, unless otherwise stated in this chapter, and upon conviction thereof shall be punished by: (1) a fine not exceeding fifty dollars (\$50.00) for the first violation; (2) a fine not exceeding one hundred dollars (\$100.00) for the second violation within one year; (3) a fine not exceeding two hundred fifty dollars (\$250.00) for each additional violation within one year. Each day a violation is committed or permitted to continue shall constitute a separate offense.

A. Persons receiving a citation for any infraction resulting from a violation of this chapter, may choose to clear the citation within ten (10) days, thereby avoiding a visit to court and a potentially higher court fine, by demonstrating their compliance to the animal services director through their written, signed agreement and paying an administrative fee of sixty dollars (\$60.00) to the department.

B. Persons who violate a home quarantine, fail to produce an animal for quarantine upon demand, or in any other way interfere with rabies investigation, shall be guilty of a misdemeanor, pursuant to Section 121710 of the California Health and Safety Code and Section 9701 of the California Food and Agriculture Code, which is punishable by imprisonment in the county jail for a period not to exceed one year, or by a fine of not less than one hundred dollars (\$100.00), nor more than one thousand dollars (\$1,000.00) per day of violation, or both fine and imprisonment.

C. Persons receiving a citation for violation of a home quarantine, may choose to clear the citation and avoid arrest and appearance in court by demonstrating to the animal services director, in writing, their intent to comply with the order and paying an administrative fee of fifty dollars (\$50.00) to the department. (Ord. 630.11 § 3 (part), 2008; Ord. 630.10 §§ 2 (part), 7 (part), 8, 2007; Ord. 630.7 § 20, 1999)

#### 6.08.210 ~~230~~ Administrative citations and penalties.

In addition to the remedies and penalties contained in this chapter, and in accordance with Government Code Section 53069.4, an administrative citation may be issued for any violation of this chapter. The following procedures shall govern the imposition, enforcement, collection and administrative review of administrative citations and penalties.

A. Notice of Violation. If an animal is owned, kept, maintained, or found to be in violation of this chapter, an administrative citation may be issued by the animal control officer. An administrative citation will not be issued for violation of Section 6.08.050 (Mandatory licensing of kennels and catteries) prior to a written notice of violation being issued.

B. Content of Citation. The administrative citation shall be issued on a form approved by county counsel and shall contain the following information:

1. Date, location and approximate time that the violation was observed;
2. The ordinance violated and a brief description of the violation;
3. The amount of the administrative penalty imposed for the violation;
4. Instructions for payment of the penalty, and the time period by which it shall be paid and the consequences of failure to pay the penalty within this time period;
5. Instructions on how to appeal the citation;
6. The signature of the animal control officer.

The failure of the citation to set forth all required contents shall not affect the validity of the proceedings.

C. Service of Citation.

1. If the person who has violated this chapter is present at the scene of the violation, the animal control officer shall attempt to obtain his or her signature on the administrative citation and shall deliver a copy of the administrative citation to him or her.
2. If the owner, occupant or other person who has violated this chapter is a business, and the business owner is on the premises, the animal control officer shall attempt to deliver the administrative citation to him or her. If the animal control officer is unable to serve the business owner on the premises, the administrative citation may be left with the manager or employee of the business. If left with the manager or employee of the

business, a copy of the administrative citation shall also be mailed to the business owner by certified mail, return receipt requested.

3. If no one can be located at the property where the violation occurred, then the administrative citation shall be posted in a conspicuous place on or near the property and a copy mailed by certified mail, return receipt requested to the owner, occupant or other person who has violated this chapter. The citation shall be mailed to the property address and/or the address listed for the owner on the last county equalized assessment roll. The citation shall also be mailed to any additional address for the owner in department records.

4. The failure of any interested person to receive the citation shall not affect the validity of the proceedings.

#### D. Administrative Penalties.

1. The penalties assessed for each violation of this chapter shall not exceed the following amounts:

- a. One hundred dollars (\$100.00) for a first violation;
- b. Two hundred dollars (\$200.00) for a second violation of the same administrative abatement order within one year;
- c. Five hundred dollars (\$500.00) for each additional violation of the administrative abatement order within one year.

2. If the violation is not corrected, additional administrative citations may be issued for the same violation. The amount of the penalty shall increase at the rate specified above.

3. Payment of the penalty shall not excuse the failure to correct the violation nor shall it bar further enforcement action.

4. The penalties assessed shall be payable to the county of Riverside, department of animal services.

5. Where the violation would otherwise be an infraction, the administrative penalty shall not exceed the maximum fine or infraction amount.

#### E. Administrative Appeal of Administrative Citation.

1. Notice of Appeal. The recipient of an administrative citation may appeal the citation by filing a written notice of appeal with the department. The written notice of appeal must be filed within twenty (20) days of the service of the administrative citation as set forth in subsection C above. Failure to file a written notice of appeal within this time period shall constitute a waiver of the right to appeal the administrative citation. The notice of appeal shall be submitted on county forms and shall contain the following information:

- a. A brief statement setting forth the appellant's interest in the proceedings;
- b. A brief statement of the material facts which the appellant claims supports his or her contention that no administrative penalty should be imposed or that an administrative penalty of a different amount is warranted;
- c. An address at which the appellant agrees notice of any additional proceeding or an order relating to the administrative penalty may be received by mail;
- d. The notice of appeal must be signed by the appellant.

2. Administrative Hearing. Upon a timely written request by the recipient of an administrative citation, an administrative hearing shall be held as follows:

a. Notice of Hearing. Notice of the administrative hearing regarding the administrative citation shall be given at least ten (10) days before the hearing to the person requesting

the hearing. The notice may be personally delivered to the person requesting the hearing or may be mailed to the address listed in the notice of appeal.

b. Hearing Officer. The administrative hearing regarding the administrative citation shall be held before the animal services director. The hearing officer shall not be the investigating animal control officer who issued the administrative citation or his or her immediate supervisor. The director may contract with a qualified provider to conduct the administrative hearings or to process administrative citations.

c. Conduct of the Hearing. The investigating animal control officer who issued the administrative citation shall not be required to participate in the administrative hearing regarding the citation. The contents of the investigating animal control officer's file shall be admitted as prima facie evidence of the facts stated therein. The hearing officer shall not be limited by the technical rules of evidence. If the person requesting the appeal of the administrative citation fails to appear at the administrative hearing, the hearing officer shall make his or her determination based on the information contained in the notice of appeal.

d. Hearing Officer's Decision. The hearing officer's decision regarding the administrative citation following the administrative hearing may be personally delivered to the person requesting the hearing or sent by mail. The hearing officer may allow payment of the administrative penalty in installments, if the person provides evidence satisfactory to the hearing officer of an inability to pay the penalty in full at one time. The hearing officer's decision shall contain instructions for obtaining review of the decision by the superior court.

F. Review of Administrative Hearing Officer's Decision. If the recipient of an administrative citation disagrees with the administrative hearing officer's decision upholding the issuance of the administrative citation and/or administrative penalty amount assessed, the recipient may appeal the issuance of the administrative citation to the superior court as set forth in this section.

1. Notice of Appeal. Within twenty (20) days of the delivery and mailing of the hearing officer's decision regarding the administrative citation, the recipient of the administrative citation may contest that decision by filing an appeal to be heard by the superior court. The fee for filing the notice of appeal is twenty-five dollars (\$25.00). The failure to file the written appeal and to pay the filing fee within this period shall constitute a waiver of the right to an appeal and the decision shall be deemed confirmed. A copy of the notice of appeal shall be served in person or by first class mail upon the department of animal services by the contestant.

2. Conduct of Hearing. The conduct of the appeal hearing is a subordinate judicial duty and may be performed by traffic trial commissioners and other subordinate judicial officials at the direction of the presiding judge of the court. The appeal shall be heard de novo, except that the contents of the issuing agency's file in the case shall be received into evidence. A copy of the issued administrative citation providing notice of the violation and imposition of the administrative penalty shall be admitted into evidence as prima facie evidence of the facts stated therein. The court shall request that the issuing agency's file on the case be forwarded to the court, to be received within fifteen (15) days of the request.

3. Judgment. The court shall retain the twenty-five dollar (\$25.00) fee regardless of the outcome of the appeal. If the court finds in favor of the contestant, the amount of the fee

shall be reimbursed to the contestant by the department of animal services. Any deposit of the fine or penalty shall be refunded by the department of animal services in accordance with the judgment of the court. If the fine or penalty has not been deposited and the decision of the court is against the contestant, the issuing agency may proceed to collect the penalty pursuant to the procedures set forth in this ordinance, or in any other manner provided by law. (Ord. 630.11 § 10, 2008)

*Section 10. Renumbered Section 24, which was previously Section 22, of Ordinance No. 630.11 is amended to read as follows:  
The references to "Section 22" are changed to "Section 24."*

6.08.220 240 Recoupment of enforcement costs.

The intent of this section is to authorize the recoupment of administrative costs reasonably related to the enforcement of this chapter. In furtherance of this intent the county shall be entitled to recover costs of enforcement, including costs of staff time, by complying with the following procedure:

A. Records of Costs. The department of animal services shall maintain records of all administrative costs, incurred by the department and all other responsible county departments, in the processing of the violation or violations and the enforcement of this chapter and other applicable ordinances and may recover such costs from the violator and/or property owner or property occupier as provided in this chapter.

B. Notice. Upon investigation and determination that a violation of any of the provisions of this chapter or other related county ordinances is found to exist, the department of animal services and/or other county department(s) shall notify the violator and/or record owner of the property, or any person having possession or control of the subject property, by mail of the existence of the violation, of the department's intent to charge the violator and/or property owner and/or person having possession or control of the property for all administrative costs associated with enforcement, and of the respondent's right to a hearing on objections thereto. The notice shall be in substantially the following form:

NOTICE

The Department of Animal Services and/or Department of \_\_\_\_\_ has/have determined that conditions exist at the property located at \_\_\_\_\_ which violate Section(s) \_\_\_\_\_ of the Riverside County Ordinance No(s).

\_\_\_\_\_ to wit: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Notice is hereby given that at the conclusion of this case you will receive a summary of administrative costs associated with the processing of such violation(s), at an hourly rate as established and adjusted from time to time by the Board of Supervisors. The hourly rate presently in effect is \_\_\_\_\_ per hour of staff time. You will have the right to object to these charges by filing a Request for Hearing with the Department of Animal Services within ten (10) days of service of the Summary of Charges.

C. Summary of Costs. At the conclusion of the case, the department of animal services shall send a summary of costs associated with enforcement to the violator and/or owner of the property and/or person having possession or control of the subject property by certified mail. The summary shall include a notice in substantially the following form:

NOTICE

If you object to these charges, you must file a Request for Hearing on the enclosed Form within ten (10) days of the date of this notice.

**IF YOU FAIL TO TIMELY REQUEST A HEARING, YOUR RIGHT TO OBJECT WILL BE WAIVED AND YOU WILL BE LIABLE TO THE COUNTY OF RIVERSIDE FOR THESE CHARGES, TO BE RECOVERED IN A CIVIL ACTION IN THE NAME OF THE COUNTY, IN ANY COURT OF COMPETENT JURISDICTION WITHIN THE COUNTY.**

Dated: \_\_\_\_\_  
Department of Animal Services

D. Right to Hearing. Any violator or property owner, or other person having possession and control of the property, who receives a summary of costs under this section shall have the right to a hearing before the director of the department of animal services or his or her designee on his or her objections to the proposed costs in accordance with the procedures set forth herein.

E. Request for Hearing. A request for hearing shall be filed with the department within ten (10) days of the service by mail of the department's summary of costs, on a form provided by the department. Within thirty (30) days of the filing of the request, and on ten (10) days written notice to the violator and/or owner, the director or his or her designee shall hold a hearing on the violator and/or owner's objections, and shall determine the validity thereof.

F. Recovery of Costs. In the event that: (a) no request for hearing is timely filed; or (b) after a hearing the director of the department of animal services or his or her designee affirms the validity of the costs; the violator, the property owner or the person in control and possession of the property shall be liable to the county in the amount stated in the summary of costs or any lesser amount as determined by the director or his or her designee. These costs shall be recoverable in a civil action in the name of the county, in any court of competent jurisdiction within the county.

G. Director's Decision. In determining the validity of the costs, the director or his or her designee shall consider whether the total costs as charged have been fairly and accurately calculated. Factors to be considered include whether the time and personnel spent in enforcement were reasonably necessary to bring about compliance and whether the rate charged is the current rate established by the county.

H. Appeal. The decision of the director or his or her designee may be appealed by filing a written notice of appeal with the clerk of the board within ten (10) days after service by mail on the violator, property owner, or other person having possession and control of the property, of the decision of the director. The appeal shall be heard by the board of

supervisors which may affirm, amend or reverse the decision and may take any other action deemed appropriate. The department shall give written notice of the time and the place of the hearing to appellant. In conducting the hearing, the board of supervisors shall not be limited by the technical rules of evidence. (Ord. 630.11 §§ 9, 11 (part), 2008; Ord. 630.10 § 7 (part), 2007; Ord. 630.7 § 21, 1999)

6.08.~~230~~ 250 Public nuisance.

A. The possession or maintenance of any dog, cat or other identified animal or the allowing of any dog, cat or other identified animal to be in violation of this chapter, Ordinance No. 771 or any other county ordinance or state law, is declared to be a public nuisance. The animal services director and any Riverside County peace officer are directed and empowered to abate any such public nuisance independently of any criminal prosecution or the results thereof, by any means reasonably necessary to accomplish the abatement including, but not limited to, the destruction of the dog, cat or other identified animal involved, or by the imposition of specific reasonable conditions and restrictions for the maintenance of such dog, cat or other identified animal. Failure to comply with such conditions and restrictions is a misdemeanor. The owner of such dog, cat or other identified animal shall reimburse the county for all costs incurred in enforcing compliance with the provisions of this section. The county, by and through the animal services director, may also commence and maintain such proceedings in a court of competent jurisdiction as are appropriate under the laws and regulations of the state for the abatement and redress of public nuisances.

B. At least ten (10) working days prior to the impoundment or abatement or both pursuant to subsection A of this section, the owner or custodian of the subject dog, cat, or other identified animal shall be notified by the animal services director, in writing, of the right to a hearing to determine whether grounds exist for such impoundment or abatement or, where applicable, both. The notice shall be served by hand-delivery or by registered or certified mail, postage prepaid, return receipt requested. If the owner or custodian requests a hearing prior to impoundment or abatement, no impoundment or abatement shall take place until the conclusion of such hearing, except as provided in subsection C of this section.

C. When, in the opinion of the animal services director, immediate impoundment is necessary for the preservation of animal or public health, safety or welfare, or if the subject dog, cat or other identified animal has been impounded under any other provision of this chapter or any law or regulation of the state of California, the pre-impoundment hearing shall be deemed waived; provided, however, that the owner or custodian of the subject dog or cat shall be given notice by the animal services director, in writing, which would allow five working days to request an abatement hearing. Service of such notice shall be in accordance with the service methods specified in subsection B of this chapter. Where requested by such owner or custodian, a hearing shall be held within five days of the request therefor, and the subject dog, cat or other animal shall not be disposed of prior to the conclusion of the hearing. If, after five working days from the date of service of the notice specified in this subsection, no request for a hearing is received from the owner or custodian of the subject dog, cat or other animal, such dog, cat, or other animal shall be disposed of pursuant to applicable provisions of law.



D. All hearings pursuant to this section shall be conducted by the animal services director personally or by a designee who shall not have been directly involved in the subject action. Hearings shall be held not more than ten (10) days from the date of receipt of the request for the hearing and shall be conducted in an informal manner consistent with due process of law. A hearing may be continued for a reasonable period of time if the animal services director deems such continuance to be necessary and proper or if the owner or custodian shows good cause for such continuance. Within ten (10) days after the conclusion of the hearing, the animal services director shall render, in writing, his or her findings, decision and order thereon and shall give notice of the findings, decision and order to the owner or custodian of the subject dog, cat or other animal; service of such notice shall be in accordance with the service methods specified in subsection B of this section.

E. Pursuant to Food and Agriculture Code Section 31622, the owner or keeper of a dog can appeal the decision of the administrative hearing to the municipal court. (Ord. 630.11 § 11 (part), 2008; Ord. 630.10 §§ 2 (part), 7 (part), 2007; Ord. 630.7 § 22, 1999)

6.08.240 260 Adjustments of fees.

All of the fees set forth in this chapter shall be in effect until the board of supervisors shall by ordinance fix some other fees upon the basis of a cost-analysis as determined by the Riverside County auditor-controller or, where applicable, pursuant to a change in the applicable laws and regulations of the state of California, or where applicable, both. (Ord. 630.11 § 11 (part), 2008; Ord. 630.10 § 7 (part), 2007; Ord. 630.7 § 23, 1999)

6.08.250 270 Waiver of fees.

At the discretion of the animal services director, the impoundment fees recoverable under Section 6.08.110 may be waived by the animal services director based upon indigent circumstances of the owner of the impounded animal that are verified by the department of animal services so long as the animal is being kept and maintained in accordance with all other provisions of this chapter, the county ordinances, and state law. (Ord. 630.11 § 11 (part), 2008; Ord. 630.10 § 9, 2007)

*Section 9. Existing Sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 are renumbered 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 respectively.*

Refereces from Ordinance 620 section numbering.

Section 23. ADJUSTMENTS OF FEES. All of the fees set forth in this Ordinance shall be in effect until the Board of Supervisors shall by ordinance fix some other fees upon the basis of a cost-analysis as determined by the Riverside County Auditor-Controller or, where applicable, pursuant to a change in the applicable laws and regulations of the State of California, or where applicable, both.

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Section 24. SEVERABILITY. If any provision, clause, sentence or paragraph of this

Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions or applications of the provisions of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 25. Ordinance Nos. 455, 455.1 through 455.70, inclusive, are hereby repealed.

Section 26. WAIVER OF FEES. At the discretion of the Animal Services Director, the impoundment fees recoverable under Section 11 may be waived by the Animal Services Director based upon indigent circumstances of the owner of the impounded animal that are verified by the Department of Animal Services so long as the animal is being kept and maintained in accordance with all other provisions of this Ordinance, the County Ordinances, and State Law.

Adopted: 630 Item 3.5b of 02/03/1987 (Eff: 04/04/1987)

Amended: 630.1 Item 9.3 a & b of 05/09/1989 (Eff: 06/08/1989)

630.2 (Not Used)

630.3 Item 3.5 of 08/31/1993 (Eff: 11/30/1993)

630.4 Item 11.3 of 03/08/1994 (Eff: 05/07/1994)

630.5 Item 12.7 of 12/13/1994 (Eff: 03/01/1995)

630.6 Item 12.4 of 05/25/1999 (Eff: 07/01/1999)

630.7 Item 12.1 of 08/24/1999 (Eff: 09/22/1999)

630.8 Item 3.13 of 06/04/2002 (Eff: 07/04/2002)

630.9 Item 3.4 of 04/15/2003 (Eff: 05/14/2003)

630.10 Item 9.9 of 12/11/2007 (Eff: 01/10/2008)

630.11 Item 9.2 of 07/01/2008 (Eff: 07/31/2008)

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## Chapter 6.12 ABANDONED, NEGLECTED AND CRUELLY TREATED ANIMALS

6.12.010 Disposal allowed when.

6.12.020 Prompt action allowed when--Lien for care and treatment.

6.12.030 Post seizure hearing.

6.12.040 Hearing prior to seizure of animal.

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6.12.100 Transfer to veterinarian.

6.12.110 Humane destruction of animal in the field.

6.12.120 Violation--Penalty.

6.12.130 Violation--Animal(s) to be forfeited.

6.12.140 Chapter provisions not exclusive.

6.12.010 Disposal allowed when.

Any dog, cat or other animal which is abandoned, neglected, sick, lame, feeble, is unfit for the labor it is performing, or that in any manner is being cruelly treated may be

impounded and disposed of in a humane manner as hereinafter provided. (Ord. 716.1 § 2 (part), 2000; Ord. 716 § 1, 1991)

6.12.020 Prompt action allowed when--Lien for care and treatment.

Whenever any peace officer or animal control officer has reasonable grounds to believe that very prompt action is required to protect the health or safety of the animal or the health or safety of others, the officer shall immediately seize the animal and comply with the procedure established in Section 6.12.030. In all other cases, the officer shall comply with the provisions of Section 6.12.040. The cost of caring for and treating any animal properly seized under this chapter shall constitute a lien on the animal and the animal shall not be returned to its owner until the charges are paid, unless the hearing officer determines that the seizure was unjustified. (Ord. 716.1 § 2 (part), 2000; Ord. 716 § 2, 1991)

6.12.030 Post seizure hearing.

Whenever an animal control officer or peace officer seizes or impounds an animal based on a reasonable belief that prompt action is required to protect the health or safety of the animal or the health or safety of others, the officer shall, prior to the commencement of any criminal proceedings provide the owner or keeper of the animal, if known or ascertained after reasonable investigation, with the opportunity for a post seizure hearing as hereinafter provided to determine the validity of the seizure or impoundment, or both.

A. The health department shall cause a notice to be affixed to a conspicuous place where the animal was situated or personally deliver a notice of the seizure or impoundment, or both, to the owner or keeper within 48 hours, excluding weekends and holidays. The notice shall include all of the following:

1. The name, business address, and telephone number of the officer providing the notice;
2. A description of the animal seized, including any identification upon the animal;
3. The authority and purpose for the seizure, or impoundment, including the time, place and circumstances under which the animal was seized;
4. A statement that, in order to receive a post seizure hearing, the owner or person authorized to keep the animal, or his or her agent, shall request the hearing by signing and returning an enclosed declaration of ownership or right to keep the animal to the health department within ten (10) days, including weekends and holidays, of the date of the notice. The declaration may be returned by personal delivery or mail;
5. A statement that the cost of caring for and treating any animal properly seized under this section is a lien on the animal and that the animal shall not be returned to the owner until the charges are paid, and that failure to request or to attend a scheduled hearing shall result in liability for this cost.

B. The post seizure hearing shall be conducted within forty-eight (48) hours of the request, excluding weekends and holidays. The hearing shall be conducted in accordance with the provisions of Section 6.12.080.

C. Failure of the owner or keeper, or of his or her agent, to request a hearing within the prescribed time period, or to attend a scheduled hearing, shall result in forfeiture of any right to a post seizure hearing or right to challenge his or her liability for costs incurred.

D. The health department, or law enforcement agency that directed the seizure shall be responsible for the costs incurred for caring and treating the animal, if it is determined in the post seizure hearing that the seizing officer did not have reasonable grounds to believe very prompt action, including seizure of the animal, was required to protect the health or safety of the animal or the health or safety of others. If it is determined the seizure was justified, the owner or keeper shall be personally liable to the seizing agency for the cost of the seizure and care of the animal, and the animal shall not be returned to its owner until the charges are paid and the seizing agency or hearing officer has determined that the animal is physically fit or the owner demonstrates to the seizing agency's or the hearing officer's satisfaction that the owner can and will provide the necessary care. (Ord. 716.1 § 2 (part), 2000; Ord. 716 § 3, 1991)

#### 6.12.040 Hearing prior to seizure of animal.

Where the need for immediate seizure is not present and prior to the commencement of any criminal proceedings the health officer shall provide the owner or keeper of the animals, if known or ascertainable after reasonable investigation, with the opportunity for a hearing prior to any seizure or impoundment of the animal. The owner shall produce the animal at the time of the hearing unless, prior to the hearing, the owner has made arrangements with the agency to view the animal upon request of the agency, or unless the owner can provide verification that the animal was humanely destroyed. Any person who wilfully fails to produce the animal or provide the verification is guilty of an infraction, punishable by a fine of not less than two hundred and fifty dollars (\$250.00) no more than one thousand dollars (\$1,000.00).

A. The health department or law enforcement agency shall cause a notice to be affixed to a conspicuous place where the animal was situated or personally deliver a notice stating the grounds for believing the animal should be seized. The notice shall include all of the following:

1. The name, business address, and telephone number of the officer providing the notice;
2. A description of the animal to be seized, including any identification upon the animal;
3. The authority and purpose for the possible seizure or impoundment;
4. A statement that, in order to receive a hearing prior to any seizure, the owner or person authorized to keep the animal, or his or her agent, shall request the hearing by signing and returning the enclosed declaration of ownership or right to keep animal to the officer providing the notice within two days, excluding weekends and holidays, of the date of the notice;
5. A statement that the cost of caring for and treating any animal properly seized is a lien on the animal, that any animal seized shall not be returned to the owner until the charges are paid, and that failure to request a hearing within the prescribed time period, or to attend a scheduled hearing shall result in a conclusive determination that the animal may properly be seized and that the owner shall be liable for the charges.

B. The pre-seizure hearing shall be conducted within forty-eight (48) hours, excluding weekends and holidays, after receipt of this request. The hearing shall be conducted in accordance with the procedure established in Section 6.12.080.

C. Failure of the owner or keeper, or his or her agent, to request a hearing within the prescribed time, period or to attend a scheduled hearing, shall result in a forfeiture of any

right to a preseizure hearing or right to challenge his or her liability for costs incurred pursuant to this chapter. (Ord. 716.1 § 2 (part), 2000; Ord. 716 § 4, 1991)

6.12.050 Cost of seizure and care--Owner liable.

If any animal is properly seized under this chapter, the owner or keeper shall be personally liable to the seizing agency for the cost of the seizure and care of the animal. Furthermore, if the charges for the seizure or impoundment and any other charges permitted under this chapter are not paid within fourteen (14) days of the seizure, or, if the owner, within fourteen (14) days of notice of availability of the animal to be returned, fails to pay charges permitted under this chapter and take possession of the animal, the animal shall be deemed to have been abandoned and may be disposed of by the impounding officer. (Ord. 716.1 § 2 (part), 2000; Ord. 716 § 5, 1991)

6.12.060 Noncompliance with order to provide veterinary care.

If the animal requires veterinary care and the seizing agency is not assured, within fourteen (14) days of the seizure of the animal, that the owner will provide the necessary care, the animal shall not be returned to its owner and shall be deemed to have been abandoned and may be disposed of by the impounding officer. A veterinarian may humanely destroy an impounded animal without regard to the prescribed holding period when it has been determined that the animal has incurred severe injuries or is incurably ill or crippled. A veterinarian also may immediately humanely destroy an impounded animal afflicted with a serious contagious disease unless the owner or his or her agent immediately authorizes treatment of the animal by a veterinarian at the expense of the owner or agent. (Ord. 716.1 § 2 (part), 2000; Ord. 716 § 6, 1991)

6.12.070 Return to owner--Conditions.

No animal properly seized under this chapter shall be returned to its owner until, in the determination of the seizing agency or hearing officer, the animal is physically fit or the owner can demonstrate to the seizing agency's or hearing officer's satisfaction that the owner can and will provide the necessary care. (Ord. 716.1 § 2 (part), 2000; Ord. 716 § 7, 1991)

6.12.080 Hearings.

All hearings conducted pursuant to this chapter shall be conducted by the health officer or his or her designee (hearing officer), who shall not have been directly involved in the subject action and shall not be subordinate in rank to the person seizing or impounding the animal. Hearings shall be conducted in the following manner:

A. The hearing officer may continue the hearing for a reasonable period of time, if the hearing officer deems such continuance to be necessary and proper or if the owner or custodian shows good cause for such continuance.

B. The health department shall have the burden of proof to establish, by a preponderance of evidence, the existence of the condition or conditions which give rise to the need for the seizure or impoundment.

C. In a case where the department is also seeking to terminate the owner's rights in the animal, the department shall have put the owner or keeper of the animal on due written notice thereof and shall establish the existence of the owner's or keeper's acts or omissions resulting in cruelty or neglect to the animal by clear and convincing evidence to a reasonable certainty.

D. The department shall present its case first, followed by the party against whom the seizure or impoundment is being proposed. The department may present rebuttal in the discretion of the hearing officer.

E. Oral evidence shall be taken only on oath or affirmation.

F. Each party shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine opposing witnesses on any other matter relevant to the issues even though that matter was not covered in the direct examination, to impeach any witness regardless of which party first called the witness, and to rebut evidence.

G. The hearing need not be conducted according to technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions. Hearsay evidence may be used for the purpose of supplementing or explaining other evidence, but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions. The rules of privilege shall be effective to the extent that they are otherwise required by statute to be recognized in the hearing. Irrelevant and unduly repetitious evidence shall be excluded.

H. At the conclusion of the hearing, each side shall be given an opportunity to summarize its position.

I. Within three working days after the conclusion of the hearing, the hearing officer shall render, in writing, his or her findings, decision and order thereon, and shall give notice, in writing, of the findings, decision and order to the owner or custodian of the animal.

J. In the event a sufficient quantum of evidence presented at the hearing supports a determination for seizure, impoundment and/or termination of the owner's rights in the animal, the hearing officer as a part of his decision may order, but is not limited to ordering, that one or more of the following actions be undertaken:

1. That the owner's and/or custodian's rights in the dog, cat or other animal are terminated;
2. That the owner or custodian of the dog, cat or other animal shall remove the animal(s) from the premises by a specified date;
3. That the health department personnel after a specified date, shall impound the animal or animals;
4. That the health department shall sell, give away, or otherwise dispose of, the animal(s) with the owner or custodian of the animal(s) being responsible to reimburse the county or agency as designated by the county for all costs and expenses including, but not limited to, board, care, veterinary services, and costs of disposal. If the animal(s) are sold, the proceeds from the sale shall go to the county or agency as designated by the county.

K. A decision upholding seizure or impoundment shall become effective upon issuance.  
L. A decision terminating an owner's rights in the animal shall become effective thirty (30) days from the date the decision is mailed unless a stay of execution is granted. (Ord. 716.1 § 2 (part), 2000; Ord. 716 § 8, 1991)

6.12.090 Abandoned or stray animals--Authority to rehabilitate or destroy.

Every such, disabled, infirm or crippled animal, except a dog or cat, abandoned in any part of the unincorporated area the county may be immediately killed by the health department or law enforcement agency or their designees if, after a reasonable search, no owner of the animal can be located. It shall be the duty of all peace officers and animal control officers to cause the animal to be killed or rehabilitated and placed in a suitable home on information that the animal is stray or abandoned. (Ord. 716.1 § 2 (part), 2000; Ord. 716 § 9, 1991)

6.12.100 Transfer to veterinarian.

Any peace officer, humane society officer, or animal control officer shall convey all injured cats and dogs found without their owners in a public place directly to a veterinarian known by the officer to be a veterinarian who ordinarily treats dogs and cats for a determination of whether the animal shall be immediately and humanely destroyed or shall be hospitalized under proper care and given emergency treatment.

If the owner does not redeem the animal within the locally prescribed waiting period, the veterinarian may personally perform euthanasia on the animal. If the animal is treated and recovers from its injuries, the veterinarian may keep the animal for purposes of adoption, provided the responsible animal control agency has first been contacted and has refused to take possession of the animal.

Whenever any animal is transferred to a veterinarian in a clinic, such as an emergency clinic which is not in continuous operation, the veterinarian may, in turn, transfer the animal to an appropriate facility.

If the veterinarian determines that the animal shall be hospitalized under proper care and given emergency treatment, the costs of any services which are provided pending the owner's inquiry to the responsible agency or department shall be paid from the dog license fees, fines, and fees from impounding dogs in the city, county or city and county in which the animal was licensed or, if the animal is unlicensed, shall be paid by the jurisdiction in which the animal was found, subject to the provision that this cost be repaid by the animal's owner. The cost of caring for and treating any animal seized under this section shall constitute a lien on the animal and the animal shall not be returned to the owner until the charges are paid. No veterinarian shall be criminally or civilly liable for any decision which he or she makes or for services which he or she provides pursuant to this section.

An animal control agency which takes possession of an animal pursuant to this section shall keep records of the whereabouts of the animal for a seventy-two (72) hour period from the time of possession, and those records shall be available for inspection by the public upon request. (Ord. 716.1 § 2 (part), 2000; Ord. 716 § 10, 1991)

6.12.110 Humane destruction of animal in the field.

Notwithstanding any other provision of this section, any peace officer or any animal control officer may, with the approval of his or her immediate superior, humanely destroy any stray or abandoned animal in the field in any case where the animal is too severely injured to move or where a veterinarian is not available and it would be more humane to dispose of the animal. (Ord. 716.1 § 2 (part), 2000; Ord. 716 § 11, 1991)

6.12.120 Violation--Penalty.

Every owner, driver or keeper of any animal who permits the animal to be in any building, enclosure, lane, street, square or lot within the unincorporated area of Riverside County, without proper care or attention shall be guilty of an infraction or misdemeanor as hereinafter specified. Such individual shall be deemed guilty of a separate offense of each and every day or portion thereof during which any violation of any of the provisions of this chapter is committed, continued or permitted. Any individual convicted of a violation of this chapter shall be: (1) guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100.00) for a first violation; (2) guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200.00) for a second violation. The third and any additional violations shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000.00) or six months in jail, or both. Notwithstanding the above, a first offense may be charged and prosecuted as a misdemeanor. Payment of any penalty herein shall not relieve an individual from the responsibility for correcting the violation. (Ord. 716.1 § 2 (part), 2000; Ord. 716 § 12, 1991)

6.12.130 Violation--Animal(s) to be forfeited.

Upon the conviction of a person charged with a violation of this chapter, all animals lawfully seized and impounded with respect to the violation shall be adjudged by the court to be forfeited and shall thereupon be transferred to the impounding officer for proper disposition. A person convicted of a violation of this chapter shall be personally liable to the seizing agency for all costs of impoundment from the time of seizure to the time of proper disposition. This chapter shall not prohibit the seizure or impoundment of animals as evidence as provided for under any other provision of law. (Ord. 716.1 § 2 (part), 2000; Ord. 716 § 13, 1991)

6.12.140 Chapter provisions not exclusive.

This chapter is not intended, nor shall it be construed in any way, to affect Sections 31101 or 31752 of the Food and Agriculture Code. (Ord. 716.1 § 2 (part), 2000; Ord. 716 § 14, 1991)

Title 6 ANIMALS

Chapter 6.16 POTENTIALLY DANGEROUS AND DANGEROUS ANIMALS

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6.16.010 Findings.

A. Because of the increased urbanization of Riverside County the county has experienced increasing numbers of dogs and other animals being kept in close proximity to humans including children.

B. The keeping of dogs and other animals in close proximity to adults and children has resulted in increasing incidents of attacks, biting and menacing behavior by such dogs and other animals.

C. These incidents now present a public health and safety problem to the residents of this county and increasing numbers of cases have resulted in painful and/or serious injuries to adults and children, death and injuries to other animals, attendant economic losses to county residents, and anxiety to those bitten by unlicensed animals whose vaccination status is therefore not established.

D. In an attempt to bring this problem under control, it is necessary to: (1) increase the total number of animals which are licensed and thus properly established to have been vaccinated against rabies; (2) encourage the spaying and neutering of animals, which (a) reduces the number of strays at large and not safely confined, (b) reduce aggressiveness and animals at large, and (c) reduces the financial cost to taxpayers of animal control services; and (3) establish a warning and hearing procedure to put the owners of potentially dangerous, dangerous dogs and other animals on adequate notice to control such animals and to bring about the confinement of such animals and the destruction of those animals where other lesser measures have failed or are inappropriate. (Ord. 771 § 1, 1999)

6.16.020 Definitions.

Whenever, in this chapter or in any resolution or standard adopted by the board of supervisors pursuant to this chapter, the following terms are used, they shall have the meaning ascribed to them in this section, unless it is apparent from the context thereof, that some other meaning is intended.

"Attack" means any action by an animal which places a person in danger of immediate bodily harm.

"Animal services manager" means the animal services manager of the county or his or her duly authorized representative.

"Dangerous animal" means:

1. Any animal which has twice within a forty-eight (48) month period in two separate incidents has, actively pursued, attacked, bitten or otherwise caused a less severe injury than a "substantial injury" (as defined in this section), to another person or animal engaged in a lawful activity;
2. Any animal which has once attacked, bitten, or otherwise caused injury to a person or animal engaged in lawful activity, resulting in death or substantial injury;
3. Any animal which has been previously declared a potentially dangerous animal and the owner/custodian has failed to restrain the animal as so directed; or
4. Any dog which has been declared a "potentially dangerous dog" as defined by California State Law during any legal hearing process.

"Potentially dangerous animal" means:

1. Any animal which has once actively pursued, attacked, bitten, or otherwise caused a less severe injury than a "substantial injury" (as defined in this section), to another person engaged in a lawful activity.
2. Any animal which has once attacked, bitten, or otherwise caused a less severe injury than a "substantial injury" (as defined in this section), to another animal.
3. Any animal which is found actively pursuing livestock, poultry, dogs, cats or animals as defined in Ordinance 534.

"Substantial injury" means a substantial impairment of the physical condition of a person or animal which requires professional medical treatment, including, but not limited to, loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; muscle tears, disfiguring lacerations, punctures, or a wound requiring multiple sutures; or any injury requiring corrective or cosmetic surgery.

"Secure enclosure" means a fence or structure suitable to prevent the entry of young children or any part thereof, and which is suitable to confine a potentially dangerous, or dangerous animal in conjunction with other measures which may be taken by the owner or keeper of the animal, or at the direction of the animal services manager. The enclosure shall be designed to prevent the animal from escaping and from preventing an adult or child from coming in contact with the animal. (A chain where a person can walk within the length of the chain, or an electric collar or invisible fence is not a sufficient restraint or enclosure.)

"Vicious dog" means:

1. Any dog seized under Section 599a of the Penal Code and upon the sustaining of a conviction of the owner or keeper under subdivision (a) of Section 597.5 of the Penal Code.
2. Any dog which, when unprovoked, in an aggressive manner, inflicts injury on or kills a human being or animal.
3. Any dog previously determined to be and currently listed as a potentially dangerous dog which after its owner or keeper has been notified of this determination, continues the behavior described in Section 31602 of the Food and Agricultural Code or is maintained in violation of Section 31641, 31642 or 31643 of the Food and Agricultural Code. (Ord. 771 § 2, 1999)

6.16.030 Administrative restraint order for potentially dangerous animals.

A. If the division of animal control has cause to believe that an animal is a potentially dangerous animal, the animal services manager/designee shall issue a potentially dangerous animal restraint order to the owner(s) or custodian(s) of any such dog or animal that fits the description described in this chapter, of a potentially dangerous animal. The statement shall be served by hand-delivery or certified and first-class mail. The statement shall notify the owner(s) or custodian(s) of such animal(s) that such owner(s) custodian(s) is/are required thereafter at all times to keep such animal(s) in a secure enclosure or provide such other adequate secure restraint as may be specified on the restraint order.

B. An owner(s)/custodian(s) of an animal(s) receiving a potentially dangerous animal restraint order may request a hearing on the order by a hearing officer selected by the department director. The request for a hearing must be submitted in writing, during the ten (10) calendar days following the service of the order. Pending such hearing, the animal must be kept in a secure enclosure or adequately restrained as specified in the restraint order.

C. Failure of the owner(s)/keeper(s) to request a hearing on the restraint order within the ten (10) day period, or failure to attend or be represented at a scheduled hearing, shall constitute a waiver of the right to a hearing and shall satisfy the hearing requirements provided herein.

D. All hearings pursuant to subsection B of this section shall be conducted by the hearing officer who shall not have been directly involved in the subject action. Hearings shall be held not more than ten (10) working days from the date of receipt of the request for the hearing and shall be conducted in an informal manner consistent with due process of law. A hearing may be continued for a period of time not to exceed thirty (30) days if the hearing officer deems such continuance to be necessary and proper. Within ten (10) days after the conclusion of the hearing, the hearing officer shall render, in writing, his or her findings, decision and order thereon and shall give notice of the findings, decision and order to the owner or custodian of the subject animal; service of such notice shall be by mail or hand delivery.

E. Costs for successful enforcement of this section shall be recouped from the animal's owner or custodian pursuant to Ordinance 630, Section 21.

F. An animal which as been determined to be a potentially dangerous animal following the conclusion of the process described in subsections A through D of this section shall be added to a list of potentially dangerous animals maintained by the division of animal control. Once an animal has been determined to be a potentially dangerous animal, if there are no additional instances of the behavior described in Section 6.16.020(D) within a forty-eight (48) month period from the date of the restraint order, the animal may be removed from the list of potentially dangerous animals by the animal services manager/designee. (Ord. 771 § 3, 1999)

#### 6.16.040 Impoundment and abatement of dangerous animals.

The division of animal control is authorized and empowered to impound and/or abate (destroy) any dangerous animal as a public nuisance independently of any criminal prosecution or the results thereof by any means reasonably necessary to protect the

health, safety and welfare of the public including, but not limited to, the imposition upon the owner and/or custodian of specific, reasonable restrictions and conditions for the maintenance of the animal. In carrying out an abatement, the division shall follow the procedure established in Ordinance 630, Section 224. Restrictions and/or conditions resulting from abatement proceedings may include, but are not limited to the following:

A. Requiring the owner of the animal, possessor of the animal or owner of the premises on which the animal is kept to obtain and maintain liability insurance in the amount of one hundred thousand dollars (\$100,000.00) and to furnish a certificate or proof of insurance by which the division shall be notified at least thirty (30) calendar days prior to cancellation or nonrenewal;

B. Requirements as to the size, construction and design of structured enclosure for the animal;

C. Location of the animal's residence including prior notice of plans to move the animal to another location or to a location outside of Riverside County and obtaining approval from the division of animal control to do so after proper notification of animal regulation in the new jurisdiction;

D. Requirements as to type and method of restraints for the animal; including but not limited to leashes, muzzles and confinement in a kennel or other facility;

E. Photo identification or permanent marking of the animal for purposes of identification;

F. A requirement to obtain a dangerous animal registration and/or requiring a tattoo or micro chip noting the declaration and registration with Riverside County animal control;

G. A requirement to alter the animal;

H. Requirements to allow inspection of the animal and its enclosure by the division of animal control or any other law enforcement agency without warrant, and to produce upon demand, proof of compliance with such requirements of this section; as may be applicable;

I. Obtaining written permission to keep the animal on certain specified premises from the landlord/owner, in the event that the owner/custodian of the dangerous animal is a tenant or occupant on real property where the animal is being kept;

J. Any person who violates any provision of this section is guilty of an infraction or misdemeanor, if charged. (Ord. 771 § 4, 1999)

#### 6.16.050 Placement of warning signs.

It is unlawful for the owner or person in charge of any animal that has been found to be a potentially dangerous animal, dangerous animal or vicious animal to fail, neglect or to refuse to keep posted in a conspicuous place at or near the entrance to the premises on or within which any dog or animal is kept, a sign having letters at least two inches in width and two inches in height and reading "Beware of vicious dog" or "Beware of vicious \_\_\_\_\_," as may be appropriate. (Ord. 771 § 5, 1999)

#### 6.16.060 Change of ownership, custody and/or location of animal.

A. The owner and/or custodian of an animal that is on restriction as above provided and who moves or sells the animal(s), or otherwise transfers the ownership, custody or location of the animals(s), shall, at least fifteen (15) days prior to the actual transfer or

removal of the animal, notify the division of animal control in writing of the name, address and telephone number of the proposed, new owner or custodian, and/or the proposed, new location of the animal, and the name and description of the animal(s). The division may prohibit the proposed relocation for cause.

B. The owner and/or custodian shall, in addition to the above, notify any new owner or custodian in writing regarding the details of the animal's record, and the terms and conditions for confinement and control of the animal. The transferring owner and/or custodian shall also provide the division with a copy of the notification to the new owner or custodian containing an acknowledgment by the new owner or custodian of his or her receipt of the original notification and acceptance of the terms and conditions. The division may impose different or additional restrictions or conditions upon the new owner or custodian.

C. If the animal should die, the owner and/or custodian shall notify the division no later than twenty-four (24) hours thereafter and, upon request, from the division shall produce the animal(s) for verification. If the animal escapes, the owner and/or custodian shall immediately notify the division and make every reasonable effort to recapture the escaped animal.

D. An animal that has been declared dangerous or vicious in any legal hearing, as a result of aggressive behavior, outside the confines of Riverside County, may not be relocated in Riverside County.

E. Any person who violates any provision of this section is guilty of an infraction or misdemeanor, if charged. (Ord. 771 § 6, 1999)

#### 6.16.070 Possession unlawful without adequate restraint.

It is unlawful for a person to have the custody of or own or possess an animal that is restricted as above provided, unless the animal continues to be restrained or confined to prevent it from being at large or from causing damage to any property or injury to any person or other animal. Any person who violates any imposed restriction is guilty of misdemeanor. (Ord. 771 § 7, 1999)

#### 6.16.080 Surrender of animal upon demand.

The owner and/or custodian of any animal on restriction who is in violation of Section 6.16.070 shall surrender such animal to the division of animal control upon demand. (Ord. 771 § 8, 1999)

#### 6.16.090 Hearing procedures and charges.

Charges for hearing procedures and costs of confinement at a shelter associated with enforcement under this Ordinance shall be recovered from the animal's owner or custodian as per Sections 21 and 22 of Ordinance 630. (Ord. 771 § 9, 1999)

#### 6.16.100 Exclusions.

This chapter does not apply to dogs while utilized by any police department or any law enforcement officer in the performance of police work. (Ord. 771 § 10, 1999)

6.16.110 Court proceedings.

Nothing in this chapter shall prevent the Riverside County division of animal control or any other party from commencing and maintaining court proceedings for the restriction or destruction of any animal as authorized under Food and Agricultural Code Section 31601 et seq. (Ord. 771 § 11, 1999)