

**ORDINANCE NO. CC-2022-295**

---

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHASTA LAKE APPROVING  
MUNICIPAL CODE AMENDMENTS TO TITLE 6-ANIMALS**

---

**WHEREAS**, the City Council of the City of Shasta Lake finds that existing provisions regarding the enforcement and regulations of animals within the incorporated boundaries of the City would benefit from amendments and clarification thereof to Title 6-Animals;

**WHEREAS**, the City Council of the City of Shasta Lake have duly considered the matter and, recognize the City's continuing interest in promoting the health, safety and welfare of the citizens of Shasta Lake; and

**WHEREAS**, the City Council of the City of Shasta Lake, find that changes in the current animal control ordinance should be enacted, and failure to do so will negatively affect the City's legitimate interest in fostering a safe environment for animals and citizens; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHASTA LAKE**, in council convened, that TITLE 6 - ANIMALS, is hereby amended, deleted and replaced with the following:

**SEE EXHIBIT "A" ATTACHED**

**PASSED, ADOPTED AND APPROVED** by vote of the City Council of the CITY OF SHASTA LAKE, Shasta County, California, this 18th day of October, 2022.

**AYES:           MORGAN, POWELL, WATKINS, KERN**  
**NOES:           NONE**  
**ABSENT:        NONE**

CITY OF SHASTA LAKE

---

**RICK KERN**, Mayor

ATTEST:

---

TONI M. COATES, CMC, City Clerk

**EXHIBIT "A"**  
**Title 6**  
**ANIMALS**

Chapter 6.04 GENERAL PROVISIONS

**6.04.010 Definitions.**

For the purpose of this title the following definitions apply:

- a) "Animal" means any living creature, except humans.
- b) "Animal at large" means any animal that is willfully or negligently permitted to run off of the property of the owner or possessor.
- c) "Animal control" means the animal control unit of the city.
- d) "Animal control officer" may be used interchangeably with "office" and means the individual appointed by the city manager to enforce the provisions of this Title.
- e) "Cattery" means a place where four or more adult cats are kept, whether by owners of the cats or by persons providing facilities and care, **on or off privately owned property**, whether or not for compensation, but not including a pet shop. An adult cat is one of either sex, altered or unaltered, that has reached the age of six months.
- f) "Fee" means a fee, rate or charge set by the city council.
- g) "Health department" means the county health department.
- h) "Health officer" means the county health officer or his or her designee.
- i) "Kennel" means any premises upon which four or more dogs over four months old are kept for any purpose, except a veterinary hospital operated by a veterinarian or an animal shelter operated by a governmental agency.
- j) "Kennel operator" means a person who owns or operates a kennel.
- k) "Person" means an individual, corporation, partnership or association.
- l) "Possessor" means a person possessing an animal.
- m) "Officer" means animal control officer.
- n) "Stray animal" means an animal which is permitted by the owner or possessor, whether through negligence or willfulness, to run at large within the city upon any highway, street, lane, alley, court, or any other public place, or upon any private property or premises other than those of the person owning or having charge of the animal.

**6.04.020 Administration.**

- A. The animal control officer shall be appointed and supervised by the city manager and shall be responsible for enforcing the provisions of this title and (a) with the assistance of designees, issue citations for violations of this title.
- B. The officer shall:

1. Exercise direct line supervision over the animal control officers, keep such records as may be required by the city manager or his or her designee, and make duty assignments;
  2. Cooperate with the Department of Fish and Game trappers regarding predatory animals and other problems related to animal control.
  3. Make referrals to the sheriff or the sheriff's designee of general law violations and of major crimes involving animals.
- C. Each officer shall receive initial and recurrent training which will enable him or her to carry out the duties prescribed by this chapter.
- D. Animal control officers are public officers, and not peace officers.

#### **6.04.030 Enforcement.**

- A. The owner or possessor of any animal which is a nuisance, or which is not vaccinated or not licensed ~~shall~~ be issued a citation to appear in ~~administrative or municipal or justice-~~ court to determine whether the condition, treatment, or confinement of the animal or other circumstances constituting the violation have changed so as to eliminate the nuisance or violation. The ~~administrative hearing officer or~~ court may make any order it deems appropriate to prevent reoccurrence of the nuisance or violation, including the destruction of the animal or the removal of the animal from the premises.
- B. Administrative hearings required by this chapter shall be conducted by a hearing officer selected by the city manager and the city attorney. The hearing officer will be an individual who is not a city employee nor having any interest or involvement in animal regulation actions for the city. The hearing officer will have had prior experience in the conducting of administrative hearings. Hearings shall be conducted in an informal manner consistent with due process of law. The owner or possessor of the animal and the department may present relevant evidence and call and cross-examine witnesses, but the strict rules of evidence shall not apply. The hearing officer shall render a brief written decision within ten days following the hearing. The failure to conduct a hearing required by this title shall have no bearing on any criminal prosecution for violation of any provision of this title.

### **Chapter 6.08 ANIMAL REGULATIONS GENERALLY**

#### **6.08.010 General care of animals.**

- A. The owner or possessor of any animal must provide adequate housing, ~~in addition the following provisions shall apply. inside the owner's residence~~
1. ~~An owner or possessor may attach a dog to a running line, pully, or trolley system not less than six feet in length, however:~~
    - a) ~~A dog shall not be attached to a running line, pully, or trolley system by the means of a choke collar or pinch collar.~~
    - b) ~~A dog shall not be tethered to a doghouse, tree, fence, or any other stationary object exceeding three hours in a 24-hour period.~~
  2. Provide a fenced yard ~~with~~ shelter from the elements, and daily fresh food and water.

- B. If it is determined by animal control that any animal suffering from abuse or neglect and the owner of the animal does not take immediate action to remedy the situation, animal control shall advise the owner or possessor of the animal of penal code 597.1 (f). Officers shall attempt to correct or remedy the violation before taking immediate possession of the animal and personally delivering a notice of the seizure or impoundment, or both, to the owner or keeper within 48 hours. ~~may take immediate possession of the animal and hold the animal in protective custody until the officer is assured the animal will be properly provided for by the owner. Any fees or charges incurred during the protective custody period including any veterinary charges will be the responsibility of the owner of the animal.~~

#### **6.08.020 Keeping of animals.**

- A. Refer to Title 17.84020 General Development Standards regarding agricultural buildings where allowed, barns, stables, chicken houses and similar agricultural and residential accessory buildings that house animals. ~~No person shall keep any animal, fowl or bird, wild or domestic, other than cats, dogs, canaries or birds of the Psittacinae family, within thirty-five (35) feet of any residence or dwelling house or other building used for the habitation of human beings~~
- B. No person shall keep any animal, fowl, or bird, wild or domestic, other than cats, dogs, canaries or birds of the Psittacinae family within one hundred (100) feet from any school, hospital or similar institution.
- C. No such animal or fowl shall be kept or maintained in any yard, coop or building which is in a foul or unsanitary condition.

#### **6.08.030 Cleanliness of premises.**

- A. Every person owning or occupying premises where any animal is kept shall keep the premises in a clean and sanitary condition and free of animal urine and fecal matter.
- B. Every person owning, harboring, or possessing any animal shall not allow such animal to stray onto the land or property of another to defecate.

#### **6.08.040 Animal restraints.**

- A. No person driving a motor vehicle shall transport any animal in the back of the vehicle in a space intended for any load on the vehicle on a highway unless the space is enclosed or has side and tail racks to a height of at least forty-six (46) inches extending vertically from the floor, the vehicle has installed means of preventing the animal from being discharged, or the animal is cross tethered to the vehicle, or is protected by a secured container or cage, in a manner which will prevent the animal from being thrown, falling, or jumping from the vehicle.
- B. This section does not apply to any of the following:
1. The transportation of livestock.
  2. The transportation of a dog on a public road required for transport between different portions of the owner's property for purposes associated with ranching or farming.

#### **6.08.050 Nuisances designated.**

- A. Dangerous Animals.

1. Presumption of Dangerousness. A dangerous animal is a nuisance. Any animal except a dog assisting a peace officer engaged in law enforcement duties, which demonstrates any of the following behavior is rebuttably presumed dangerous:
  - a. An attack which requires a defensive action by any person to prevent bodily injury and/or property damage in a place where such person is conducting himself or herself peacefully and lawfully;
  - b. An attack that results in an injury to a person in a place where such person is conducting himself or herself peacefully and lawfully;
  - c. Any behavior that constitutes a physical threat of bodily harm to a person in a place where such person is conducting himself or herself peacefully and lawfully;
  - d. An attack on another animal or livestock which occurs off the property of the owner of the attacking animal.

For the purposes of this section, a person is peacefully and lawfully upon the private property of an owner or possessor of the animal when he is on such property in the performance of any duty imposed upon him by the laws of the state or any city, or by the laws or postal regulations of the United States, or when he or she is on such property upon invitation, expressed or implied.

2. Finding of Dangerousness. After notice and hearing upon charges following the procedure expressed in Section 6.04.030B, the animal control officer may declare that an animal is dangerous.
  3. Dangerous Animal At Large. Any dangerous animal found at large shall be impounded. Any dangerous animal found at large within twelve (12) months after having been declared a dangerous animal, may be humanely destroyed after notice and hearing upon charges following the procedure expressed in Section 6.04.030B.
  4. Impoundment Pending Hearings. Any animal subject to dangerous animal proceedings may be impounded at the discretion of the supervisor pending notice, hearings and determinations hereunder and until any required permit is obtained. The animal's owner shall be charged for all costs incurred or fees applicable with respect to such impoundment unless a finding is made that the animal is not dangerous.
  5. Other Proceedings. Nothing in this chapter shall limit the right of any person or officer to take any proceedings against a dangerous animal or the owner thereof otherwise permitted or provided by law.
  6. Expiration of Dangerous Animal Designation. Any animal designated as dangerous according to Section 6.04.030B will be monitored by animal control for thirty-six (36) months following the finding of being dangerous. If the owner of the animal complies with the dangerous animal conditions for the thirty-six (36) months, the city manager or his or her designees may remove the dangerous animal designation.
- B. Unrestrained Dog on School Grounds. No owner or possessor of any dog shall permit it to enter upon the grounds of any school, unless the dog is secured by a leash or is under the control of its possessor or is securely fastened to some permanent fixture. An unrestrained dog which enters upon school grounds is a nuisance.
- C. Strays. No owner or possessor of any animal shall permit it to stray from the premises where such animal is kept. It is unlawful for the owner or possessor to permit such animal to enter upon the land of another without the permission of the owner or possessor of such land. Any such animal is a nuisance. This subsection does not apply ~~to livestock on the open range or~~ to domestic cats.
- D. Animals Which Disturb the Peace. The keeping of any animal which by habitually howling, barking or other noise, disturbs the peace and quiet of the neighborhood is unlawful, and any such animal is a nuisance.

1. **Reported nuisance or observed by an animal control officer.**
  2. The written affirmation by two persons, not related and having separate residences, stating that their peace and quiet is unreasonably disturbed by the animal shall be prima facie evidence of a violation of this subsection. This subsection does not apply to reasonable noises emanating from legally operated hospitals, humane societies, kennels, farms or agricultural facilities.
- E. **Strays Which Damage Property.** No owner or possessor of any animal shall permit it to trespass on public or private property so as to damage or destroy any property or thing of value. Such an animal is declared a nuisance. This subsection extends to trespass on the open range if the public health or welfare is endangered.

#### **6.08.060 Nuisance abatement.**

If animal control finds a nuisance to exist, or if it determines that a dog is not vaccinated or licensed, it shall issue a citation to the owner or possessor of the animal, in accordance with Section 6.04.030A.

(Ord. 03-153 § 1 (part))

#### **6.08.070 Dog leash law.**

- A. No owner or possessor of any dog shall cause or permit the dog to run at large in any area of the city pursuant to this section. For the purpose of this section, "running at large" means the presence of a dog at any place except upon the premises of the dog's owner or possessor. However, a dog shall not be considered to be running at large if it is on a leash.
- B. Every dog running at large is a nuisance.
- C. **Dogs found within a dog park with an owner or possessor while off leash is not considered running at large. Dogs found within a designated dog park are exempt from these provisions**

#### **6.08.080 Capture of animals at large.**

Animal control officers shall attempt to capture any animal found at large in violation of this code. The officer shall not seize or impound any stray animal that has strayed from but returned to the property of its owner or possessor, but in such a case a citation may be issued pursuant to Section 6.04.030A. However, if the owner or possessor cannot safely secure the animal upon the premises, the animal may be impounded. The officer shall post a notice of impoundment at the residence or place of business of the owner or possessor of the animal, if known. The notice shall instruct the owner or possessor on how to retrieve the animal, shall indicate the ultimate disposition of the animal if no action to regain it is taken within a specified period of time, and shall advise the owner or possessor that he or she may, within twenty-four (24) hours of receipt of notice, request a hearing before the city manager or his designee for the purpose of showing lack of reasonable cause for the seizure.

#### **6.08.090 Impoundment.**

Animal control may impound any animal found or kept in violation of the provisions of this title or found to be a public nuisance or determined to be injured or diseased. Owners of dogs or cats may voluntarily impound their animals with animal control and shall pay a fee for such

impounding. The owner of any impounded animal is liable for the cost of the impoundment whether or not the owner redeems the animal.

#### **6.08.100 Transportation costs.**

Animal control shall collect any special transportation costs for impounded animals in addition to the impoundment fee.

#### **6.08.110 Sale or other disposition of impounded animals.**

- A. All impounded animals shall be kept in the animal facility for a period of four business days **not including the day of impoundment** unless redeemed earlier. The time during which an animal has been held by another governmental entity shall be included in the determination of four business days **not including the day of impoundment**.
- B. Unless an impounded dog is redeemed by the owner or possessor within the time specified above, the animal control officer may dispose of the animal. If the identity of the owner or possessor of the animal is known, oral or written notice of the animal's impoundment and the date of intended disposal shall be given at least five days before disposal. Any time during which the animal was held by another governmental entity shall be included in determining the five-day period.
- C. The owner or possessor of an impounded animal may redeem the animal within the time specified above by payment of a redemption fee. **A citation to show proof of correction shall be issued to an owner or possessor of impounded animal(s) that are unlicensed or unvaccinated.** ~~A license shall also be purchased prior to redemption of any unlicensed impounded dog. The owner or possessor shall, within ten (10) days of redemption, provide proof of current vaccination to animal control.~~
- D. **Animals relinquished by the purported owner shall be held for four business days not including the day of impoundment. The time during which an animal has been held by another governmental entity shall be included.** ~~Animals relinquished by their owners may be destroyed or transferred to a new owner without regard to any prescribed holding time and without notice to the former owners.~~

#### **6.08.120 Abandonment of dog or cat.**

- A. It shall be unlawful to willfully abandon ~~any~~ **an owned or possessed** domestic dog or cat.
- B. **Trap Neuter Release (T.N.R.) is prohibited within the City of Shasta Lake.**

#### **6.08.130 Injured or diseased animals.**

No person shall knowingly possess any animal that is seriously injured or afflicted with mange, ringworm, distemper or any other contagious disease, unless in the opinion of the animal control officer or a veterinarian, the animal is being given adequate treatment for such condition.

- A. Animal control officers may take immediate possession of any animal not being treated **providing the requirements under penal code 597.1 (f) have been met.**
- B. ~~or which is not responding to treatment, and dispose of the animal~~ Unless the owner or possessor immediately places the animal under the control or treatment of a veterinarian **and notifies the animal control officer in writing of the veterinarian to provide services including the date and time of service.**

#### **6.08.140 Animal owner responsibilities.**

City Policy. It is the policy of the city to determine the degree of injury to the animal and the extent of suffering and pain. The animal control officer will examine and identify any obvious injuries that are survivable with reasonable care. Once this examination has taken place, the officer will make every effort to determine the ownership of animal. The animal owner will be responsible for all bills incurred from the time discovered until discharge or authorization of the animal by the veterinarian. In the event that ownership can't be determined, the city will stabilize the animal to the degree that can be performed with minimal veterinarian care. Injured animals with no known ownership and significant injuries requiring more than initial life stabilization treatment will be euthanized.

- A. It shall be the duty of the animal control officer to convey all injured cats and dogs found without their owners in a public place directly to a veterinarian for a determination of whether the animal shall be immediately euthanized or hospitalized for further treatment. Animal control will determine ownership based upon city licensing records. If the animal does not require veterinary care in the opinion of the veterinarian, the animal shall be impounded. In the event ownership cannot be determined or in the veterinarians' opinion the animal will require more than life stabilizing veterinary care, the animal will be euthanized.
- B. If the owner does not redeem the animal within the five-working-day waiting period, euthanasia may be performed on the animal; or, if the animal is treated and recovers from its injuries, an animal control officer may keep the animal for purposes of adoption.
- C. If the veterinarian determines that minimal life stabilizing emergency treatment and hospitalization, the costs of any services which are provided are the responsibility of the owner. In the event the owner cannot be located, minimum treatment will be provided and shall be paid by the city. Payment for services rendered by the veterinarian is the responsibility of the animal owner.

#### **6.08.150 Rabies vaccinations.**

- A. Responsibility of Administrative Services Manager. The assistant to the city manager and animal control officer shall supervise rabies control. If the health officer finds that rabies exists in this city, he or she shall take measures to abate the condition which may include the quarantine of any animal. The animal control supervisor shall cooperate with and assist the health officer in carrying out any measures necessary for rabies control, including but not limited to the holding of rabies clinics.
- B. Duties of Owner or Possessor. An owner or possessor of any dog over four months old, or one who brings a dog more than four months old into the city, shall, within four months of the dog's birth or ten days of its entry into the city, whichever is later, procure and maintain the dog's vaccination for rabies. The veterinarian who vaccinates the dog shall issue a vaccination certificate to its owner or possessor, in accordance with procedures established by the health officer.
- C. Exemption. A dog is exempt from vaccination if a veterinarian has examined the dog and certified in writing that at such time vaccination would endanger the dog's health, due to illness or advanced age. Rabies vaccination must be obtained within thirty (30) days of the dog's recovery from the illness.
- D. Rabies Reports. Rabies is declared to be a reportable disease. Every veterinarian practicing in this city who suspects that an animal is rabid and every person providing professional medical treatment for animal bite by an animal of a species subject to rabies



shall immediately notify the health department. Every veterinarian practicing in this city shall provide the supervisor with a copy of every rabies immunization certificate which he/she issues, within thirty (30) days of issuance.

#### **6.08.160 Animals suspected of rabies—Costs.**

The owner or possessor of any animal which is confined, isolated, examined or destroyed as a result of being rabid, suspected rabid or a biting animal is liable for the costs of such confinement, isolation, examination or destruction, whether or not the animal is returned to the owner or possessor.

#### **6.08.170 Destruction of aged or diseased animals.**

All animals taken into custody of animal control which by reason of age, disease, or other cause, are unfit for further use or dangerous to keep impounded, shall be destroyed by arrangement of an animal control officer four business days after impounding. Oral or written notice shall be given to the owner, if known, prior to destroying the animal **within 48 hours**. The owner may request a hearing prior to destruction of the animal. The request shall be in writing and applicant shall agree therein to pay the cost of care and maintenance of the animal pending the hearing. Decisions of the hearing officer are final. Seriously ill or injured animals may be destroyed without regard to the prescribed holding period and without notice to the owner, to alleviate suffering or to protect other animals or persons from contagious diseases.

#### **6.08.180 Removal of animal carcasses.**

- A. Where public health or safety is endangered, the animal control officer shall remove or arrange for removal of carcasses of dogs or cats and other animals.
- B. The cost of removal and disposal shall be the responsibility of the owner, if known.
- C. Animal control shall arrange for the removal and disposal of stray canine and feline carcasses found in or on city-maintained roadways.

#### **6.08.190 Burial of animals.**

Every person who knowingly fails to properly dispose of the carcass of any animal which belonged to that person at the time of the animal's death, and who allows the carcass to remain within city limits, shall be guilty of an infraction.

- A. No person shall bury the carcass of any domestic or livestock animal in such a manner that there is less than three feet of soil above the carcass. This does not apply to bio-hazardous waste.
- B. It shall be the duty of the owner or person having custody of a deceased animal suspected of having rabies to surrender the carcass of such animal, or such portion of the carcass as may be demanded, to the health officer after the death of the animal.

#### **6.08.200 Recordkeeping.**

Animal control shall keep a record of all animals taken into custody which shall show the date of impoundment and the date and manner of disposition, **these records shall be maintained for a period of three years after the date of the animals' disposition**. Records shall also be kept of the identity of owners of licensed dogs.

## Chapter 6.12 DOGS AND CATS

### 6.12.010 Mandatory spay and neutering.

No person shall own or harbor any dog over the age of six months within the city that has not been spayed or neutered unless:

1. The person holds an unaltered animal license for the animal pursuant to this title; or
2. The animal(s) are registered as working guide dog, service dog or police dog, thereby exempted from the provisions of this section.

### 6.12.011 License requirements.

No person shall harbor, keep or maintain within the city any dog four months or older which does not have a current license.

- A. License Issuance. Pet licenses shall be issued by the city and/or the animal control authority. License fees are made payable to the city according to the schedule approved by resolution of the city council.
- B. No person shall own or possess more than four dogs in any household unless it is a kennel or a licensed veterinarian.
- C. No person shall own or possess any dog over four months old unless the dog has been licensed and vaccinated as required by this title. If ownership of a licensed dog changes, the new owner shall obtain a transfer license within thirty (30) days of obtaining the dog. When an unlicensed dog is brought into the city, the owner or possessor shall obtain a license for the dog within ten days.
- D. The animal control officer may require any person owning, possessing, harboring or controlling any animal for which a license or permit is required under this chapter to produce any required license or certificate of rabies vaccination for inspection. Any person who fails to produce a required license or certificate of rabies vaccination for inspection by the animal control supervisor after a demand for inspection, is in violation of this section.

### 6.12.020 Selling, giving away or auctioning animals.

- A. No person shall sell or give away, **auction off or raffle** any unaltered dogs and **or** cats in any public places. or to auction off or raffle unaltered dogs and cats as prizes or gifts
- B. No person in the city shall publish or advertise to city residents the availability of any unaltered cat or dog unless the publication or advertisement includes: the unaltered animal's license number, provided, however, that nothing in this ordinance shall prohibit licensed breeders from advertising in national publications for sale of a planned litter(s).
- C. Auctioning off or **to raffle unaltered or altered** dogs and cats as prizes or gifts **is prohibited within the incorporated city limits.**
- D. **This section shall not apply to the following:**
  - (1) Events held by 4-H Clubs, Junior Farmers Clubs, or Future Farmers Clubs.**
  - (2) The California Exposition and State Fair, district agricultural association fairs, or county fairs.**

(3) Stockyards with respect to which the Secretary of the United States Department of Agriculture has posted notice that the stockyards are regulated by the federal Packers and Stockyards Act, 1921 (7 U.S.C. Sec. 181 et seq.).

(4) The sale of cattle on consignment at any public cattle sales market, the sale of sheep on consignment at any public sheep sales market, the sale of swine on consignment at any public swine sales market, the sale of goats on consignment at any public goat sales market, and the sale of equines on consignment at any public equine sales market.

(5) Live animal markets regulated under Section 597.3.

(6) A public animal control agency or shelter, society for the prevention of cruelty to animals' shelter, humane society shelter, or rescue group regulated under Division 14 (commencing with Section 30501) of the Food and Agricultural Code. For purposes of this section, "rescue group" is a not-for-profit entity whose primary purpose is the placement of dogs, cats, or other animals that have been removed from a public animal control agency or shelter, society for the prevention of cruelty to animals' shelter, or humane society shelter, or that have been surrendered or relinquished to the entity by the previous owner.

~~No person shall sell or give away unaltered dogs and cats in any public places or to auction off or raffle unaltered dogs and cats as prizes or gifts. No person in the city shall publish or advertise to city residents the availability of any unaltered cat or dog unless the publication or advertisement includes the unaltered animal's license number, provided, however, that nothing in this ordinance shall prohibit licensed breeders from advertising in national publications for sale of a planned litter(s).~~

#### **6.12.030 Cattery and kennel licenses.**

It is unlawful for any person to keep and maintain any cat or dog within the city for the purposes of maintaining a kennel or cattery without obtaining and maintaining a current license ~~or permit~~ therefor. In addition, each animal maintained in the kennel or cattery must have a current license ~~or current immunizations~~. In addition, the following provisions shall apply.

- A. No kennel license shall be issued without a use permit approved by the planning department and the supervisor of animal control. The supervisor of animal control and the planning department shall have the discretion to limit, condition or restrict any permit issued in any way deemed necessary under the circumstances of location, noise, sanitation, proper planning, and any other factor deemed relevant. Any such permit shall be revocable at any time by the planning department and supervisor of animal control
- B. Business owner(s)/applicant(s) referenced on the application shall complete a live scan background-check. Background screening of the permit holder and listed staff with direct oversight of animals shall have no pending or active criminal history in reference to penal code 597.9 subsection (a) and subsection (b).
- C. Past history of animal control complaints relating to the cats and dogs of the applicant ~~at the address~~ for which the cattery or kennel is applied for.

- D. To adequately protect animals within kennels from unhealthy conditions and practices, and to the interest of the public in preventing inhumane practices, reasonable inspections by the city shall be completed. As a condition of the issuance of a kennel license, each operator shall agree to allow such inspection. Such acknowledgment shall be made part of the application and file. Each kennel for which a kennel license has been issued shall be inspected at intervals determined by the city.
- E. The cattery or kennel shall limit dog and cat reproduction to no more than two litters per ~~license permitted~~ year per female cat, and one litter per licensed year per female dog:
- F. Each cat and dog in the cattery or kennel shall have current and proper immunization from disease according to the species and age. Such will be generally accepted by the veterinary community and shall take into consideration basic animal health standards and state mandated rabies control protocol.
  - 1. Records of immunizations shall be kept by the permit holder for review by the Animal Control Supervisor or their designee for a period of time not exceeding three (3) years after the disposition of the animal.
  - 2. A file shall be maintained describing animal(s) size, type and characteristics of breed.
- G. Kennel licensing is not permitted within residential zoned areas of the city limits.

#### **6.12.040 Physical requirements—Catteries and kennels.**

- A. The animal control ~~officer~~ **supervisor** and the planning department may require setback; additional setback, fencing, screening or soundproofing as may be deemed necessary to insure the compatibility of the kennel or cattery with the surrounding ~~neighborhood~~ **area**. Factors to be considered in determining such compatibility are:
  - 1. ~~Statements regarding approval/disapproval of surrounding neighbors relative to maintenance of a cattery or kennel at the address applied for;~~
    - 1. Facility specifications/dimensions in which the cats and dogs are to be maintained.
      - (a) Cat kennels shall be maintained within an enclosed building or structure preventing cats from escape with adequate ventilation and cooling.
      - (b) Dog kennels shall be maintained within a building or structure with access to an enclosure outside, allowing dogs to move freely within the kenneled area to the outside kenneled areas.
      - (c) Quarantine kennels and isolation area.
    - 2. Cattery or kennel has complied or can comply with requirements established for such uses ~~in the city's zoning code.~~ **by the Department Supervisor of Animal Control and the City's Planning Department.**

#### **6.12.050 License tags.**

Upon proper application and payment of the license fee, a serially numbered license tag, stamped with the name of the city and the year of issue shall be issued for a dog which has been properly vaccinated in accordance with Section 6.08.150. The tag shall be affixed to the dog at all times. Whenever a license tag is lost or damaged, the owner or possessor shall obtain a replacement from animal control within thirty (30) days.

#### **6.12.060 Individual licenses—Fees.**

- A. A license fee shall be paid for each dog over four months old. The license period shall be for thirty-six (36) months or less, twenty-four (24) months or less or twelve (12) months or less, commencing on the day the license is obtained. The license renewal fee shall be due and payable at the expiration of the license period.
- B. The license fee is delinquent sixty (60) days after it becomes due and payable, and an additional fee shall be collected for the issuance of the license. The additional fee may be waived by the supervisor but only on a showing of good cause and only if the dog is not being held as a stray.
- C. A fee shall not be collected or required for any dog license issued for a seeing-eye dog or a hearing-ear dog used by any partially or totally blind or deaf person.

#### **6.12.070 Types of licenses.**

- A. Dog Licenses.
  - 1. Pet licenses for unaltered dogs will be valid for a maximum term of one year from the date of issuance, expiring on the last day of the twelfth month. Pet licenses for altered dogs will be valid for an optional two or three years. Renewal licenses will retain the original expiration period whether renewed prior to, on, or after their respective renewal month;
  - 2. Applications for pet license(s) shall be on forms provided by the city animal control authority;
  - 3. License tags shall be attached to an appropriate collar for the species and worn by dogs at all times.
- B. Dog License Fees. Licensing fees will be established by resolution adopted and approved by the city council.

#### **6.12.080 Sentry dogs—Requirements.**

No person shall place any sentry dog on a premises, unless the premises is posted to warn of the dog's presence and unless the sentry dog is fenced within the premises or confined within the building. Signs shall be placed at fifty (50) foot intervals around the perimeter of the area guarded by the sentry dog and at all entrances and exits to the area.

The signs shall have minimum dimensions of ten inches by fourteen (14) inches and shall contain black lettering on a white background stating:

#### **WARNING—SENTRY DOG ON DUTY**

and shall also depict the head of a dog with bared fangs. The sign shall also set forth the name, address and telephone number of the sentry dog company furnishing the dog for hire, if any, and the telephone number of the owner or caretaker of the premises. Each sentry dog shall be registered and tagged.

**6.12.090 Imposition of fees.**

The city council, by resolution, will adopt and revise the fee and fine schedule to the city in providing the services and regulations set forth in this title.