

Title 6 ANIMAL REGULATION AND PROTECTION

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Chapter 6.02 GENERAL PROVISIONS

6.02.010 Purpose--Construction.

6.02.030 Authority to set fees and charges.

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6.02.070 Definitions.

6.02.010 Purpose--Construction.

This Title is intended to regulate, control and protect animals existing within the city of Rohnert Park. (Ord. 738 § 1 (part), 2005)

6.02.030 Authority to set fees and charges.

The city council may, from time to time, by resolution, establish a schedule of fees and charges for services performed and licenses issued under this Title. The fees and charges so established may recover the reasonable cost of providing such services and issuing such licenses. (Ord. 738 § 1 (part), 2005)

6.02.050 Penalties.

Violation of any of the provisions of this Title shall be deemed to be an infraction unless otherwise designated. (Ord. 738 § 1 (part), 2005)

6.02.070 Definitions.

For purposes of this Title, unless the context clearly indicates otherwise, certain words and phrases shall have the meaning given to them in this section:

A. "Animal" means all nonhuman members of the animal kingdom, including domestic, exotic and livestock species.

B. "Animal control officer" means an employee of the city or the city shelter authorized to enforce all of the provisions of this Title relating to the care, control and treatment of animals as well as any state laws which he or she is authorized to enforce.

C. "Assistance dog" means a specifically trained canine assigned to a disabled person for the specific purpose of assisting the disabled person. Assistance dogs include, but are not limited to, guide dogs for the blind, hearing dogs, canine companions and pet-assisted therapy dogs.

D. "At large" means an animal that is off the premises of its owner and not under restraint by a leash.

E. “Breeder” means any person, business or organization that is recognized as a “breeder” under the laws of the State of California.

F. “Commercial kennel” means any lot or premises on which four or more dogs or five or more cats, not to exceed ten of either, over four months of age; or thirteen or more birds, rabbits, rodents and reptiles, up to a total of twenty of all; are owned and kept by the owner or occupant for commercial purposes including, but not limited to, boarding, breeding, buying, selling, renting, exhibiting or training. A commercial kennel shall not include a veterinary facility, S.P.C.A., or the animal shelter.

G. “Dangerous animal” means an animal, except a dog assisting a public safety officer engaged in law enforcement duties, which demonstrates any or all of the following behavior:

1. An unprovoked attack that results in serious injury to, or the death of, any person when such person is acting lawfully;
2. An unprovoked attack that results in the death of another animal or livestock when the animal or livestock is off the property of the owner of the attacking animal;
3. A second unprovoked attack within a thirty-six-month period on a person that requires a defensive action by any person to prevent bodily injury when the person is acting lawfully;
4. A second unprovoked attack within a thirty-six-month period on another animal or livestock that results in serious injury when the animal or livestock is off the property of the owner of the attacking animal;
5. A second unprovoked attack within a thirty-six-month period on any person that results in less than a serious injury when the person is acting lawfully.

H. “Domestic animal” means any animal customarily kept by humans for companionship, including, but not limited to, dogs, cats, birds, rabbits, hamsters, potbellied pigs, guinea pigs, mice, rats, iguanas and the like. Feral cats are not domestic animals.

I. “Exotic animal” means any species of animal not normally considered domestic or livestock. For purposes of this definition, “exotic animal” shall be defined as those animals defined by California Fish & Game Code Section 2116 as “wild animals.” This includes, but is not limited to, the species listed in California Fish & Game Section 2118.

J. “Health officer” means any Public Health Officer of Sonoma County or designee.

K. “Hearing officer” means the administrative sergeant of the department of public safety or his or her designee as determined by the director of public safety.

L. "Hobby kennel" means any place or premises on which four or more dogs or five or more cats, not to exceed ten of either, over four months of age; or thirteen or more birds, rabbits, rodents and reptiles, up to a total of twenty of all; are owned and kept by the owner or occupant for personal, noncommercial purposes, including, but not limited to, hunting, tracking, exhibiting at shows, exhibitions, field trials or other competitions; or enhancing or perpetuating a given breed, other than dogs used in conjunction with an agricultural operation on the lot or premises. No hobby kennel operator shall sell, display, offer for sale, barter or give away more than two litters of puppies and/or two litters of kittens in any calendar year.

M. "License" means a permit obtained from a governmental or quasi-governmental agency which allows a person, business or organization to do described acts or maintain described premises.

N. "Livestock" means any animal kept by humans that do not customarily inhabit their owner's dwelling. Includes, but not limited to, equine, bovine, ovine, caprine, porcine, and any species of chickens, ducks, pigeons, geese, turkeys or other domesticated fowl, but excluding bees.

O. "Owner" or "Owner/Guardian" means any person who keeps or has charge of or provides custody or care to an animal for at least thirty consecutive days. This definition shall exclude veterinarians who are treating or caring for an animal in the regular practice of veterinary medicine as well as the owners or operators of an animal grooming business, kennel or pet shop while engaged in the regular practice of such business. Use of the term "Owner/Guardian" in place of "Owner" shall not imply or bestow any change in legal status or ownership of animals by the use of such term.

P. "Pet shop" means any premises wherein animals are kept for the purposes of wholesale or retail sale, exchange or hire to the public.

Q. "Pit bull" means any dog that is an American Pit Bull Terrier, American Staffordshire Terrier, Staffordshire Bull Terrier, or any mixed breed of dog which contains, as an element of its breeding, one of these aforementioned breeds and exhibits the majority of physical traits of any such breeds.

R. "Potentially dangerous animal" means an animal, except a dog assisting a peace officer engaged in law enforcement duties, which demonstrates for the first time any or all of the following behavior:

1. An unprovoked attack on a person that requires a defensive action by any person to prevent bodily injury when the person is acting lawfully;
2. An unprovoked attack on another animal or livestock that results in serious injury when the animal or livestock is off the property of the owner of the attacking animal;

3. An unprovoked attack on any person that results in less than a serious injury when the person is acting lawfully;

4. Any unprovoked behavior that constitutes a physical threat of bodily harm to any person when the person is off the property of the owner of the animal.

S. “Serious injury” means any physical injury to a human or animal that requires multiple sutures or corrective or cosmetic surgery, or results in muscle tears, multiple puncture wounds, disfiguring lacerations, or severe bruising.

T. “Service dog” means any dog under the control of a public safety officer in the performance of, or training for, public service.

U. “Shelter supervisor” means the supervisor of the city’s shelter or her or his designee.

V. “Welfare organization” means any nonprofit public benefit corporation that is organized for the purpose of improving the lives or welfare of animals. (Ord. 752 § 1, 2006; Ord. 738 § 1 (part), 2005)

## Title 6 ANIMAL REGULATION AND PROTECTION

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### Chapter 6.04 ANIMAL REGULATION

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6.04.010 Animal control officers—Powers and duties.

A. All animal control officers shall enforce all of the provisions of this Title of the Municipal Code and all state laws relating to the care, control and treatment of animals.

B. If an animal control officer has reasonable cause to believe that any person has violated any of the provisions of this Title, or any state laws which the animal control officer is authorized to enforce, relating to the care, control and treatment of animals, the animal control officer may apply the penalty provisions set forth in Chapter 1.16 of this Municipal Code.

C. The animal control officer may seize, impound and humanely euthanize any animal when authorized to do so by this Municipal Code or by the laws of this state relating to the care, control and treatment of animals.

D. When the breed of an unspayed or unneutered dog is at issue, the animal control officer shall determine whether such dog is a pit bull. If the owner of the dog wishes to appeal the animal control officer's determination that the dog is a pit bull, he or she may, within ten calendar days of the determination, request a hearing before the hearing officer. The hearing shall be held in accordance with Chapter 6.10 of this Title. The decision of the hearing officer shall be final.

E. The animal control officer shall investigate any reported incident regarding a potentially dangerous or dangerous animal. If the animal control officer determines that the animal should be deemed potentially dangerous or dangerous, the animal control officer may seize and impound the animal to protect the health, safety, and general welfare of the public. In addition, the animal control officer shall compose a written report to be submitted to the patrol sergeant on duty at that time. The report shall set forth the facts and reasons why the animal should be deemed potentially dangerous or dangerous. If the patrol sergeant concurs with the animal control officer's determination, the animal control officer shall serve a "Notice of Conditions Imposed and Right to Request Hearing" upon the owner of the animal. (Ord. 752 § 2, 2006; Ord. 738 § 1 (part), 2005)

6.04.030 Refusal to present animal for inspection prohibited.

No person shall fail or refuse to comply with any lawful order of an animal control officer under this title to present an animal for inspection. (Ord. 738 § 1 (part), 2005)

6.04.050 Public nuisances—Prohibited.

No owner, guardian or person otherwise having an animal in her or his care, charge, control, custody or possession shall permit or allow the existence of a public nuisance, including, but not limited to, the following:

A. To permit such animal to obstruct the reasonable and comfortable use of property in any neighborhood or community by running at large, chasing vehicles, molesting

passersby, or continual barking, howling, screeching or otherwise making excessive noises;

B. To permit such animal to damage property, enter on public property, or trespass on private property;

C. To permit unsanitary conditions to exist on the premises where such animal is kept which would cause odors, attract flies or vermin, or which would be otherwise injurious to the public health, offensive to the senses, or an obstruction to the free use of property;

D. To keep or maintain any animal in violation of the zoning code of the city. (Ord. 752 § 3, 2006; Ord. 738 § 1 (part), 2005)

#### 6.04.070 Public nuisances—Abatement.

Whenever an animal control officer has reasonable cause to believe that a public nuisance exists, he or she may conduct an investigation of the alleged nuisance. In addition, whenever an animal control officer receives three or more complaints or affirmations in writing from persons having separate residences in the same neighborhood or from persons employed regularly in the same neighborhood, that any animal is a public nuisance as that term is used in this Municipal Code, the animal control officer may investigate to determine if a public nuisance exists. If the animal control officer determines that a public nuisance exists, the nuisance shall be abated in accordance with Chapter 1.24 of the Rohnert Park Municipal Code.

Notwithstanding any of the preceding, no animal that is part of an agricultural operation pursuant to California Civil Code Section 3482.5 shall be deemed to be a public nuisance under this section, provided such animal is owned and kept in compliance with this Title and state law. (Ord. 752 § 4, 2006; Ord. 738 § 1 (part), 2005)

#### 6.04.090. Animal waste.

A. No owner or person otherwise having an animal in his care, charge, control, custody or possession, except a disabled person using an assistance dog, shall permit or allow any animal to do any of the following:

1. Defecate on any public street or other public property without immediately cleaning or removing the excrement to a proper receptacle.

2. Defecate on any private property other than that of its owner without the consent of the owner, lessee or other person in control of the private property.

B. Any person owning or otherwise having an animal in his care, charge, control, custody or possession on any public street or other public property shall carry a tool or device to be used for cleaning or removing animal excrement. This tool or device shall be presented to the animal control officer upon demand. (Ord. 738 § 1 (part), 2005)

#### 6.04.120 Potentially dangerous and dangerous animals—Determination and appeal.

A. Potentially Dangerous Determinations. If an animal is deemed potentially dangerous by the patrol sergeant in accordance with Section 6.04.010, subsection (E), the animal control officer may immediately impose reasonable conditions upon the owner of the animal to protect the health, safety, and general welfare of the public. If the patrol sergeant does not concur with the animal control officer's determination that the animal should be deemed potentially dangerous, the animal, if previously seized and/or impounded, shall be released to its owner. During the duration of any appeal of the patrol sergeant's determination, the owner of the animal must comply with any or all of the conditions set forth below. Such conditions may include, but are not limited to, the following:

1. Registration. The owner must register the animal as “potentially dangerous” or “dangerous,” whichever is applicable, with the city’s license, permits and fees center. The registration shall be maintained with the licensing files for the animal.

2. Confinement.

(i) The owner must securely confine the animal while on its premises to ensure that the animal cannot escape or come in contact with other people. If the animal is removed from the premises for any reason, the animal must be securely muzzled and restrained by a leash, under the control of a responsible person who is physically capable of restraining the animal.

(ii) If the animal is released to its owner pursuant to subsection (B) of this section, the owner must securely confine the animal in an enclosed structure like a kennel or other similar enclosure. Such animals may not be kept on premises where minor children are present.

3. Microchipping. The owner must have the animal microchipped at the city’s animal shelter. The cost of such procedure shall be borne by the owner of the animal.

4. Sterilization. The owner must have the animal sterilized at a licensed veterinarian. The cost of such procedure shall be borne by the owner of the animal.

5. Training. The owner must enroll the animal in a training and/or obedience course approved by the shelter supervisor. The cost of enrollment shall be borne by the owner of the animal.

6. Inspection. The owner must consent to the entry upon his or her premises by the animal control officer to inspect the animal and/or premises to ensure compliance with this section.

7. Costs of hearing. The owner must reimburse the city for any costs incurred for conducting a hearing to determine whether the animal is potentially dangerous or dangerous. The owner shall not be held responsible for costs exceeding two hundred dollars.

8. Other. The animal control officer may impose additional reasonable conditions he or she deems necessary to protect the health, safety, and general welfare of the public.

B. Dangerous Determinations. If an animal is deemed dangerous in accordance with Section 6.04.010, subsection (E), the owner of the animal must immediately surrender the animal to the animal control officer, who shall subsequently transfer custody of the animal to the shelter supervisor. If the patrol sergeant does not concur with the animal control officer's determination that the animal should be deemed dangerous, the patrol sergeant may deem the animal potentially dangerous, in which case the animal control officer may act in accordance with subsection (E) of Section 6.04.010 and subsection (A) of this section. During the duration of any appeal of the patrol sergeant's determination that an animal should be deemed dangerous, the animal shall remain in the custody of the shelter supervisor. If, after a hearing is conducted pursuant to Chapter 6.10 of this Title, it is found that release of the animal to its owner would create a significant threat to the health, safety, or general welfare of the public, the shelter supervisor may humanely euthanize the animal pursuant to Section 6.08.210, subsection (C). If, after a hearing is conducted pursuant to Chapter 6.10 of this Title, it is found that the animal should not be destroyed, the shelter supervisor may release the animal to its owner. In such circumstances, the owner must comply with all of the conditions set forth above in subsection (A), including any additional reasonable conditions imposed by the animal control officer if he or she deems such conditions necessary to protect the health, safety, and general welfare of the public.

C. Appeal. If the owner of an animal determined to be potentially dangerous or dangerous wishes to appeal the patrol sergeant's determination, the owner may request a hearing before the hearing officer within ten calendar days of the determination. Once the request for an appeal is made, the hearing officer shall obtain a copy of the report written pursuant to Section 6.04.010, subsection (E). The hearing shall be held in accordance with Chapter 6.10 of this Title. (Ord. 752 § 5, 2006)

#### 6.04.130 Potentially dangerous and dangerous animals—Penalties.

Any person who owns or has in his or her custody or control any animal known by that person to be potentially dangerous or dangerous to the safety of any person or other animal, or that has been deemed potentially dangerous or dangerous in accordance with Section 6.04.010, subsection (E), shall comply with any and all conditions imposed pursuant to Section 6.04.120 of this chapter. Failure to do so shall constitute a misdemeanor unless the citing officer is able to make one of the findings contained in Section 1.16.010, subsections (B)(1) through (4) of this code and elects to issue a citation for an infraction. (Ord. 752 § 6, 2006; Ord. 738 § 1 (part), 2005)

#### 6.04.140 Cats and dogs—Maximum number.

No person shall keep or have upon any premises owned, occupied, or controlled by him or her within the city more than three dogs or four cats without a hobby or commercial kennel license. (Ord. 738 § 1 (part), 2005)

#### 6.04.120 Potentially dangerous and dangerous animals—Determination and appeal.

A. Potentially Dangerous Determinations. If an animal is deemed potentially dangerous by the patrol sergeant in accordance with Section 6.04.010, subsection (E), the animal control officer may immediately impose reasonable conditions upon the owner of the animal to protect the health, safety, and general welfare of the public. If the patrol sergeant does not concur with the animal control officer's determination that the animal should be deemed potentially dangerous, the animal, if previously seized and/or impounded, shall be released to its owner. During the duration of any appeal of the patrol sergeant's determination, the owner of the animal must comply with any or all of the conditions set forth below. Such conditions may include, but are not limited to, the following:

1. Registration. The owner must register the animal as “potentially dangerous” or “dangerous,” whichever is applicable, with the city's license, permits and fees center. The registration shall be maintained with the licensing files for the animal.

#### 2. Confinement.

(i) The owner must securely confine the animal while on its premises to ensure that the animal cannot escape or come in contact with other people. If the animal is removed from the premises for any reason, the animal must be securely muzzled and restrained by a leash, under the control of a responsible person who is physically capable of restraining the animal.

(ii) If the animal is released to its owner pursuant to subsection (B) of this section, the owner must securely confine the animal in an enclosed structure like a kennel or other similar enclosure. Such animals may not be kept on premises where minor children are present.

3. Microchipping. The owner must have the animal microchipped at the city's animal shelter. The cost of such procedure shall be borne by the owner of the animal.

4. Sterilization. The owner must have the animal sterilized at a licensed veterinarian. The cost of such procedure shall be borne by the owner of the animal.

5. Training. The owner must enroll the animal in a training and/or obedience course approved by the shelter supervisor. The cost of enrollment shall be borne by the owner of the animal.

6. Inspection. The owner must consent to the entry upon his or her premises by the animal control officer to inspect the animal and/or premises to ensure compliance with this section.

7. Costs of hearing. The owner must reimburse the city for any costs incurred for conducting a hearing to determine whether the animal is potentially dangerous or dangerous. The owner shall not be held responsible for costs exceeding two hundred dollars.

8. Other. The animal control officer may impose additional reasonable conditions he or she deems necessary to protect the health, safety, and general welfare of the public.

B. Dangerous Determinations. If an animal is deemed dangerous in accordance with Section 6.04.010, subsection (E), the owner of the animal must immediately surrender the animal to the animal control officer, who shall subsequently transfer custody of the animal to the shelter supervisor. If the patrol sergeant does not concur with the animal control officer's determination that the animal should be deemed dangerous, the patrol sergeant may deem the animal potentially dangerous, in which case the animal control officer may act in accordance with subsection (E) of Section 6.04.010 and subsection (A) of this section. During the duration of any appeal of the patrol sergeant's determination that an animal should be deemed dangerous, the animal shall remain in the custody of the shelter supervisor. If, after a hearing is conducted pursuant to Chapter 6.10 of this Title, it is found that release of the animal to its owner would create a significant threat to the health, safety, or general welfare of the public, the shelter supervisor may humanely euthanize the animal pursuant to Section 6.08.210, subsection (C). If, after a hearing is conducted pursuant to Chapter 6.10 of this Title, it is found that the animal should not be destroyed, the shelter supervisor may release the animal to its owner. In such circumstances, the owner must comply with all of the conditions set forth above in subsection (A), including any additional reasonable conditions imposed by the animal control officer if he or she deems such conditions necessary to protect the health, safety, and general welfare of the public.

C. Appeal. If the owner of an animal determined to be potentially dangerous or dangerous wishes to appeal the patrol sergeant's determination, the owner may request a hearing before the hearing officer within ten calendar days of the determination. Once the request for an appeal is made, the hearing officer shall obtain a copy of the report written pursuant to Section 6.04.010, subsection (E). The hearing shall be held in accordance with Chapter 6.10 of this Title. (Ord. 752 § 5, 2006)

#### 6.04.130 Potentially dangerous and dangerous animals—Penalties.

Any person who owns or has in his or her custody or control any animal known by that person to be potentially dangerous or dangerous to the safety of any person or other animal, or that has been deemed potentially dangerous or dangerous in accordance with Section 6.04.010, subsection (E), shall comply with any and all conditions imposed pursuant to Section 6.04.120 of this chapter. Failure to do so shall constitute a misdemeanor unless the citing officer is able to make one of the findings contained in Section 1.16.010, subsections (B)(1) through (4) of this code and elects to issue a citation for an infraction. (Ord. 752 § 6, 2006; Ord. 738 § 1 (part), 2005)

#### 6.04.210 Birds—Pigeons require permits.

The term “pigeons,” as used in this chapter, includes all pigeons, whether domestic or wild and expressly including “homing” or “racing” pigeons. No person shall keep any pigeons inside the city limits unless a permit has first been obtained from the city except for persons keeping less than three pigeons solely as pets. (Ord. 738 § 1 (part), 2005)

#### 6.04.230 Birds, rabbits, rodents and reptiles--At-large.

No person owning or having the custody or control of any domestic bird, rabbit, rodent and/or reptile shall permit such animal to run at large. The animal control officer may seize and impound any such animal found in violation of this section and such impoundment shall be pursuant to this Title. (Ord. 738 § 1 (part), 2005)

#### 6.04.230 Birds, rabbits, rodents and reptiles--Maximum number permitted.

No person shall keep or have upon any premises owned, occupied, or controlled by him or her within the city, birds, rabbits, rodents or reptiles exceeding at any one time twelve in number, without a hobby kennel permit. Such number shall be construed to mean twelve in the aggregate or total number of such animal, regardless of the particular kind or age of such animal. (Ord. 738 § 1 (part), 2005)

#### 6.04.270 Transferring of animals--Prohibited conduct.

No person or organization shall sell, display, offer for sale, barter, or give away any animal as a prize. Transfers of ownership or guardianship of animals by sale or gift are prohibited except when undertaken by a person licensed to operate a commercial kennel, hobby kennel, or pet shop, or as part of an agricultural operation, commercial hatchery, or store regularly engaged in the selling of livestock, or unless such person is the owner of such animal and such sale, display, offer for sale, barter, or gift occurs on the owner's or recipient's premises or on the premises where the animal is boarded or kept.

This section shall not be construed to prohibit the adoption or display of animals for adoption from an animal shelter or other animal welfare organization nor the sale or gift

of a pet, or its offspring, by its owner or guardian, or by the family or individual owning the same as a family pet, which transfer occurs upon the property of such person. (Ord. 738 § 1 (part), 2005)

#### 6.04.290 Animals kept in vehicles.

A. An animal shall not be confined in a vehicle unless there is adequate ventilation and unless the temperature or other conditions do not threaten the health of the animal. If an animal is confined in a vehicle in a manner that threatens its health, any animal control officer or any peace officer may enter the vehicle by whatever force is reasonably necessary to release the animal without liability upon the city or any person for resulting damage.

B. Any animal that has been confined in a vehicle in violation of this section may be impounded pending a hearing to determine if the animal shall be returned to its owner. In the event of any such impoundment, the owner or keeper of the animal shall be liable for all costs and expenses of impounding or keeping the animal.

C. Section 23117 of the Vehicle Code of the State of California is hereby incorporated into this ordinance.

D. Any animal control officer or peace officer may remove an animal that is not properly tethered in accordance with subsection (C) above without liability upon the city or any person for resulting damage. The driver of the vehicle may be cited for violation of such duty.

E. With the exception of RVs or motor homes that are adequate and serve as the residence of the owner, animals may not be housed in vehicles. (Ord. 738 § 1 (part), 2005)

#### 6.04.310 Neglect of animals prohibited.

No owner/guardian or other person in control of any animal shall cause or permit such animal to be without proper care and attention. (Ord. 738 § 1 (part), 2005)

#### 6.04.330 Tethering a dog.

A dog may not be restrained for more than ten hours in a twenty-four hour period.

A. The tether or chain provided must be at least ten feet in length, with swivels at both ends, and be properly attached to a pulley or trolley mounted on a cable so as not to interfere or become entangled with the animal or objects on the property.

B. Any tethering system used shall not allow the dog to leave the property of their owner or possessor.

- C. No chain or tether shall weigh more than one-eighth of the dog's body weight.
- D. Any chain or tether shall be attached to a properly fitting flat collar or harness worn by the dog. The use of choke chains or pinch collars is prohibited.
- E. The chained or tethered dog must have constant access to necessary shelter and water. (Ord. 738 § 1 (part), 2005)

6.04.350 Biting animals--Notification and disposition.

A. The owner or other person in custody or control of any animal that bites a human being shall immediately notify the department of public safety of such bite, giving the name and address of the person bitten, if known to him/her, and shall obey any quarantine instructions given by the department of public safety and/or health officer. The animal control officer may, in her or his discretion, order the animal quarantined at the shelter, at a veterinarian's office, or at the owner/guardian's residence and may impose such reasonable conditions thereon as may be required.

B. If any person fails or refuses to obey any lawful order for the quarantine of an animal for observation of rabies, the animal control officer may impound the animal for such quarantine at the expense of the owner. The animal control officer shall charge the owner in such case for the care and board of the animal. Such rates shall be set by resolution of the city council. The redemption fees provided in Section 6.08.150 of this Title shall also apply to an animal quarantined for rabies observation. (Ord. 738 § 1 (part), 2005)

6.04.370 Reporting found animals.

Any person who apprehends or picks up a stray or apparently lost animal shall report the same to the animal shelter within twenty-four hours and shall release such animal to the owner or to the animal shelter upon demand. The person shall provide the animal shelter with a complete description of the animal, its location and a means to contact the person keeping the animal. (Ord. 738 § 1 (part), 2005)

6.04.390 Posting of intention to trap cats.

Any person who is intending to trap more than two stray or feral cats on their property within a month, must post such intentions by notifying neighbors on both sides, behind, and across such property. This can be accomplished by anonymously leaving a flyer of such intent on each doorstep of surrounding dwellings. (Ord. 738 § 1 (part), 2005)

Title 6 ANIMAL REGULATION AND PROTECTION

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Chapter 6.06 COMMERCIAL KENNELS, HOBBY KENNELS, PET SHOPS

6.06.010 Commercial kennel, hobby kennel, pet shops--License required.

- 6.06.030 Application for license.
- 6.06.050 Action on application.
- 6.06.070 Expiration and renewal of license.
- 6.06.090 Denial or revocation of license.
- 6.06.110 Appeal from denial or revocation of license.
- 6.06.130 Conditions for new license after denial or revocation.
- 6.06.150 License not transferable.
- 6.06.170 Display of license required.
- 6.06.190 Inspections.
- 6.06.210 Standards for care, confinement and treatment of animals.
- 6.06.230 Required records for commercial kennels.
- 6.06.010 Commercial kennel, hobby kennel, pet shops--License required.

No person shall conduct, operate or keep any commercial kennel, hobby kennel or pet shop within the city without first obtaining a license pursuant to the provisions of this chapter. In no case does this licensing requirement replace the requirement for a city business license. (Ord. 738 § 1 (part), 2005)

6.06.030 Application for license.

Application for a license for a commercial kennel, hobby kennel or pet shop shall be made in writing to the city or designee by the owner of the facility within thirty days after the establishment of such a kennel within the city. Such application shall be on a form approved by the city and shall be accompanied by a license fee, the amount of which shall be established by the resolution of the city council. If all other requirements for licensing under this chapter are met, such license fee shall be waived for any commercial kennel devoted exclusively to training or breeding assistance dogs. The city shall require such proof of qualification as the city deems necessary prior to waiving the license fee for any such facility. If the owner of any commercial kennel, hobby kennel or pet shop fails to make application for a license within thirty days after receipt of notice from the city to obtain a license, such owner shall pay a penalty for late licensing, in an amount of which shall be established by the city council, in addition to the normal licensing fee. The license fee for commercial kennel licenses shall be in lieu of the license fees and registration fees required for individual animals. The license fee for hobby kennel licenses shall be in addition to the license fees and registration fees required for individual animals. (Ord. 738 § 1 (part), 2005)

6.06.050 Action on application.

A. Upon receipt of an application for a commercial kennel, hobby kennel or pet shop license the city or designee shall review the application and inspect the premises to be licensed. If the city finds that the requirements of this chapter have been complied with, the city shall issue such license to the owner. If the city finds otherwise, then the city shall deny the license.

B. When issuing a license pursuant to this chapter, the city or designee may make the license subject to such reasonable conditions as the city deems necessary to protect the public health, safety and welfare and the protection of animals.

C. Upon issuing a hobby kennel license and payment of the license fees required, the city shall provide the owner of the hobby kennel facility with individual dog license tags for each dog kept on the licensed premises under the license and individual cat license tags for each cat kept on the licensed premises under the license. (Ord. 738 § 1 (part), 2005)

#### 6.06.070 Expiration and renewal of license.

Every commercial kennel, hobby kennel, or pet shop license issued pursuant to this chapter shall be annual, based on a calendar year. The fee is due and payable on January 1 of each year or on the date the commercial enterprise begins operation. The fee is non-transferable and non-refundable. The procedure for renewal of any such license shall be the same as for obtaining an original license. If the owner fails to make application for the renewal of such license within sixty days after its expiration, such owner shall pay a penalty for such late application in the same amount as authorized under Section 6.06.030. (Ord. 738 § 1 (part), 2005)

#### 6.06.090 Denial or revocation of license.

The city may deny or revoke any license issued pursuant to this chapter in the any of following situations:

A. Whenever the animal control officer determines by inspection that the licensed premises violate any of the conditions of the license, this title or state law.

B. Whenever the animal control officer has reason to believe that the owner of the licensed facility has willfully withheld or falsified any information required for the license.

C. Whenever the animal control officer has reason to believe that the owner of the licensed facility, or any employee of the owner who is presently employed by the owner, has been convicted by a court of law within the past five years of a violation of this Title or any other law relating to animals, public nuisance caused by animals or cruelty to animals, in this or any other state. For purposes of this section, a forfeiture of bail shall be deemed to be a conviction of the offense. (Ord. 738 § 1 (part), 2005)

#### 6.06.110 Appeal from denial or revocation of license.

Prior to denial or revocation of a license issued pursuant to this chapter, the city shall notify the owner of the facility, in writing by certified mail, of the intent to deny or revoke the license, the reasons for such denial or revocation, and that such owner may make a written request for a hearing within ten days after the mailing of such notice if he or she desires to challenge the denial or revocation. If a valid request for a hearing is

filed, the city shall set the time and place for the hearing and cause notice of such hearing to be given pursuant to this chapter. (Ord. 738 § 1 (part), 2005)

#### 6.06.130 Conditions for new license after denial or revocation.

If a license applied for or granted under this chapter is denied or revoked, the city shall not grant a new license to the same person for the same activity at the same location for one year after the date of the denial or revocation unless the applicant demonstrates and /or the animal control officer determines by investigation or inspection upon a preponderance of the evidence, in which the burden of proof is upon the applicant, that the grounds upon which the application was denied or the license revoked no longer exists. (Ord. 738 § 1 (part), 2005)

#### 6.06.150 License not transferable.

No commercial kennel, hobby kennel or pet shop license issued pursuant to this chapter shall be transferable. (Ord. 738 § 1 (part), 2005)

#### 6.06.170 Display of license required.

Every commercial kennel, hobby kennel or pet shop license issued pursuant to this chapter shall post its license in some conspicuous part of the licensed premises. (Ord. 738 § 1 (part), 2005)

#### 6.06.190 Inspections.

As a condition to the issuance or renewal of any commercial kennel, hobby kennel, or pet shop license issued pursuant to this chapter, the animal control officer shall have the authority to conduct periodic inspections of the licensed premises. The owner of the facility shall make available to the animal control officer such information regarding the operation of the facility as the animal control officer shall require. (Ord. 738 § 1 (part), 2005)

#### 6.06.210 Standards for care, confinement and treatment of animals.

The animal control officer shall establish regulations and standards for commercial kennels, hobby kennels and pet shops licensed pursuant to this chapter relating to the following:

- A. The maximum number and species of animals to be kept on the licensed premises.
- B. The construction, sanitation and maintenance of the facilities on the licensed premises.
- C. Any other matters pertaining to the humane care, confinement and treatment of animals that the animal control officer deems necessary. (Ord. 738 § 1 (part), 2005)

6.06.230 Required records for commercial kennels.

Every commercial kennel licensed pursuant to this chapter shall keep available, on the licensed premises, records available for inspection by the animal control officer. These records shall contain all of the following:

- A. The name, current address, and telephone number of the owner or guardian of each animal at the kennel.
- B. The date each animal entered the kennel.
- C. The reason for each animal being at the kennel, such as for boarding, sale, breeding or grooming.
- D. A description of each animal at the kennel, including its age, breed, sex and color.
- E. A current, valid rabies certificate for each animal over four months of age kept at the kennel. (Ord. 738 § 1 (part), 2005)

Title 6 ANIMAL REGULATION AND PROTECTION

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Chapter 6.08 IMPOUNDMENT

- 6.08.010 Shelter supervisor--Appointment and duties.
- 6.08.030 Shelter supervisor--Disposition of money received--Report.
- 6.08.050 Shelter supervisor--Record keeping.
- 6.08.070 Impoundment--Animals subject to impoundment.
- 6.08.090 Impoundment--Care of animals.
- 6.08.110 Impoundment--Notification.
- 6.08.130 Impoundment--Redemption--Generally.
- 6.08.150 Impoundment--Redemption--Fees.
- 6.08.170 Impoundment--Challenge by owner.
- 6.08.190 Mandatory sterilization for second impound.
- 6.08.210 Impoundment--Disposition of impounded animals.
- 6.08.230 Impoundment--No redemption or disposition of animals for research purposes.
- 6.08.250 Impoundment--Absence of liability.
- 6.08.270 Adoption of animals--Generally.
- 6.08.290 Relief from fees during natural disasters.
- 6.08.010 Shelter supervisor--Appointment and duties.

The city council may provide, by contract, for the execution of the office and duties of shelter supervisor or animal control officer by any person authorized or organized under the laws of the State of California to act for the humane treatment of animals or to prevent cruelty to animals. The shelter supervisor and her or his deputies may collect license, impoundment, quarantine, adoption and other fees as approved by the city. (Ord. 738 § 1 (part), 2005)

6.08.030 Shelter supervisor--Disposition of money received--Report.

All money collected by the animal shelter shall be deposited into the general fund of the city. If shelter services are contracted out, all money collected together with all or a portion of the money collected from the sale of licenses for animals in the city, may be retained by or paid over to the shelter contractor in payment for the work, labor and duties performed by the shelter contractor in operating the city shelter or other like facility. The shelter supervisor shall file a quarterly report with the city as may be required by the mayor or city manager or as may be provided by agreement. (Ord. 738 § 1 (part), 2005)

6.08.050 Shelter supervisor--Record keeping.

The shelter supervisor shall keep such records as the state, mayor, city manager or agreement may prescribe. Such records shall at all times be available for inspection by the mayor or city manager or his or her designee. (Ord. 738 § 1 (part), 2005)

6.08.070 Impoundment--Animals subject to impoundment.

Any animal control officer may seize and impound an animal for a violation of any provision of this Title or state law in any of the following situations where the owner of the animal is not present and the animal control officer has reasonable cause to believe that such seizure is necessary for any of the following reasons:

- A. To protect public safety and welfare;
- B. To protect an animal which is injured, sick or starving;
- C. To protect an animal from injury which has strayed onto public property or a public right of way;
- D. To protect a domestic animal from imminent risk of harm;
- E. To safeguard an animal which is at-large off its owner's property;

Upon the impoundment of any such animal, the owner, if known, shall be notified and may request a hearing and determination in accordance with the provisions of this Title. (Ord. 738 § 1 (part), 2005)

6.08.090 Impoundment--Care of animals.

The shelter supervisor shall provide all animals in his or her custody with proper food, water, and shelter and shall give them all necessary care and attention. (Ord. 738 § 1 (part), 2005)

#### 6.08.110 Impoundment--Notification.

A. If any animal impounded under this Title is found by the animal control officer to be duly licensed and/or microchipped, the animal control officer shall mail notice by certified mail to the registered owner of such animal at the address given in the license or microchip application for the animal, or in-person by the animal control officer or a public safety officer. Such notice shall state that the animal has been impounded, the date and place of impoundment, a description of the animal, where the animal is being held, the name, address, and the telephone number of the agency or person to be contacted regarding release of the animal, and an indication of the ultimate disposition of the animal if no action to regain it is taken by the owner within six days after the mailing of such notice. Any dog or other animal picked up and impounded pursuant to this Title may be recovered by the owner only upon payment of the charges and costs of redemption of impounded animals as provided in Section 6.08.150 of this chapter.

B. The required holding period for a stray animal shall be six business days, not including the day of impoundment, except that if the shelter is open one weekday evening until 7:00 p.m. or one weekend day, then the holding period shall be four business days, not including the day of impoundment. (Ord. 738 § 1 (part), 2005)

#### 6.08.130 Impoundment--Redemption--Generally.

Redemption of an impounded animal shall be made by presenting to the animal control officer any required license certificate and identification tag issued by the licensing agency or otherwise by establishing ownership and by paying to the animal control officer the redemption fee and all other proper fees and charges accrued as provided for in this Title. If the impounded animal is subject to license under this Title, the owner shall comply with the licensing requirements of the animal prior to its release. Upon such redemption being made, the animal control officer shall release the animal. (Ord. 738 § 1 (part), 2005)

#### 6.08.150 Impoundment--Redemption--Fees.

No dog or other animal shall be released by the animal control officer or her or his deputies until all charges, costs of redemption, and costs of current year's license charge, if any, have been paid by the owner. The charges and costs of redemption to the owners of impounded animals shall be set by resolution of the city council. Redemption fees will include but not be limited to the following: (a) a fee for each dog or other animal impounded for violation of this Title, and in addition, (b) a fee for the actual cost of board, feed and veterinary care for each day or fractional day of impoundment, shall be due and payable from the owner to the keeper of the impounded animal(s), and (c) the fees established by Food and Agriculture Code Sections 30804.7 and 31751.7. Upon a second impoundment of the same animal while under the same ownership, such animal shall be microchipped and altered within fifteen days of being released to the owner (at the owner's expense and at the veterinarian of the owner's choosing) and the cost of the microchipping shall be added to the redemption fee. (Ord. 738 § 1 (part), 2005)

6.08.170 Impoundment--Challenge by owner.

If the owner of a dog or other animal wishes to challenge the impoundment, such owner shall personally deliver or mail a written request for a hearing to the animal control officer. Such notice must be received by the animal control officer within ninety-six hours after impoundment. If a valid request for a hearing is filed, the animal control officer shall set the time and place for the hearing before the shelter supervisor and a city representative and give notification of such to the owner within thirty-six hours. (Ord. 738 § 1 (part), 2005)

6.08.190 Mandatory sterilization for second impound.

A. Any unsterilized animal which is impounded by any agency or combination of agencies within this county, twice or more while under the same ownership within the lifetime of the animal, shall be microchipped and ordered spayed or neutered within fifteen days of being released to the owner (at the owner's expense and at the veterinarian of the owner's choosing). The cost of the microchipping shall be added to the redemption fee. The owner shall provide written verification from the veterinarian performing the surgery to the animal control officer within seven days of the surgery.

B Any owner of an impounded animal subject to mandatory sterilization under subsection (A) above may request, in writing, within five calendar days following notice of the second impoundment, a hearing to be conducted by the impounding agency or his or her designee. Such hearing shall be held within five calendar days of such request and shall determine whether good cause exists for an exemption from the provisions of subsection (A) herein. If no good cause is established, then the animal shall be ordered to be spayed or neutered prior to redemption.

C. Good cause for an exemption from mandatory sterilization shall exist if the animal was at large due to an act of God, emergency, or other mitigating factor not caused by the negligence of the owner, person in control of the animal, or their agents or upon presentation of a note from the animal's veterinarian stating that a health condition exists that would preclude such a surgery. The burden of proof to establish good cause for an exemption shall be upon the owner and shall be established by a preponderance of the evidence. (Ord. 738 § 1 (part), 2005)

6.08.210 Impoundment--Disposition of impounded animals.

The animal control officer shall keep any impounded animal for the period set forth in Section 6.08.110 (B) and for such longer period as may be required for any notice to be given under this Title. At any time after the expiration of such period of time, the animal control officer may, unless the owner redeems the animal or unless a bona fide home has been obtained for such animal, destroy the same in a humane manner.

Any animal, which is voluntarily surrendered to or deposited with the shelter, shall be held for the same holding period and with the same requirement of care as stray animals, except that the period for owner redemption shall be one day, not including the day of impoundment. This holding period is excepted if the animal is determined by a veterinarian to be irremediably suffering, or is surrendered for biting, aggression, or chronic or severe health issues, in which case he or she may be euthanized in a humane manner immediately. (Ord. 738 § 1 (part), 2005)

6.08.230 Impoundment--No redemption or disposition of animals for research purposes.

No animal impounded pursuant to this Title or voluntarily surrendered to or deposited with the shelter shall be redeemed, placed for adoption or otherwise released to any person, institution, or public agency for any research purposes, including, but not limited to, biomedical research, experimentation, instruction, toxicity testing or product testing, that is invasive or harmful to the animal. (Ord. 738 § 1 (part), 2005)

6.08.250 Impoundment--Absence of liability.

No liability shall be incurred by the city for the impoundment, redemption or disposition of an animal made pursuant to this Title. (Ord. 738 § 1 (part), 2005)

6.08.270 Adoption of animals--Generally.

If an impounded animal is made available for adoption, such animal may be adopted by any qualified person upon submission of an approved application and payment of an adoption fee, the amount of which shall be established by resolution of the city council. If such animal is adopted by a Rohnert Park resident, and has received a rabies vaccine, then the person adopting the animal shall, prior to the animal's release, comply with the licensing requirements for the animal.

If a stray animal is released to or adopted by another person, the owner of such animal may, at any time within fifteen days after the stray period has elapsed, redeem the animal by paying any fees due to the shelter and reimbursing the adopter the amount of adoption, plus covering any expenses incurred during the period the adopter had possession of the animal. (Ord. 738 § 1 (part), 2005)

6.08.290 Relief from fees during natural disasters.

Upon the recommendation of the shelter supervisor the fees provided for in this chapter may be waived or paid from the city's general fund when animals have been impounded because of conditions within the city or the immediate area due to fire, flood, earthquake, storm or other natural disaster. (Ord. 738 § 1 (part), 2005)

Title 6 ANIMAL REGULATION AND PROTECTION

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## Chapter 6.10 HEARINGS BY SHELTER SUPERVISOR

6.10.010 Hearings—Notice.

6.10.030 Hearings—Procedure and decision.

6.10.010 Hearings—Notice.

A. Procedure for Notice. Unless otherwise specifically provided in this Title, when a provision of this Title requires that a hearing be conducted, then notice of hearing shall be given in the following ways:

1. Notice of the hearing shall be mailed or delivered to the applicant, license holder, or owner/guardian of the animal, or any other person who has filed a written request for such notice with the shelter supervisor or hearing officer, whichever is applicable, at least four days prior to the hearing. Mailed notice shall be sent first class and deposited, postage prepaid, in the United States mail and notice shall be deemed given when so deposited. If there is no known address to which to send the notice, then notice shall be posted in at least one place on or near the premise where the animal was impounded, and

2. Notice of the hearing shall be posted at least four days prior to the hearing on a bulletin board in a public area at the animal shelter, on or near the doors of the meeting room where the hearing will be held. If the hearing is to be held at a location other than the animal shelter, then notice shall be posted on the door or bulletin board of that location where the hearing is to be held.

B. Contents of Notice. In addition to the information specified in Section 6.08.110 of this Title, notice shall include the date, time, and place of the hearing; the identity of the shelter supervisor or hearing officer, whichever is applicable; a general explanation of the matter to be considered; and a statement that the applicant, license holder, or owner/guardian of the animal has a right to an attorney and that non-attendance at such hearing will be considered a waiver by that person of his or her right to present evidence at the hearing. (Ord. 752 § 12, 2006; Ord. 738 § 1 (part), 2005)

6.10.030 Hearings—Procedure and decision.

When a provision of this Title requires that a hearing be conducted, except a hearing pursuant to Section 6.08.170, the hearing shall be conducted as follows:

A. Procedure. At the time and place set for the hearing, the shelter supervisor or hearing officer, whichever is applicable, shall consider the matter at issue. The shelter supervisor or hearing officer shall swear witnesses, hear testimony, and receive relevant written or documentary evidence. Additional procedural rules may apply. The shelter supervisor or hearing officer shall tape record the hearing and shall preserve all photographs and other documentary evidence introduced at the time of the hearing until the time period to file an appeal has lapsed, and then may destroy such evidence. If a party has requested that the shelter supervisor or hearing officer return such evidence, the shelter supervisor or hearing officer must comply with such a request. The shelter supervisor or hearing officer

may decide all issues for or against the applicant, license holder, or owner of the animal and may render such decisions even if such person fails to appear at the hearing.

B. Decision. Within ten days after the hearing is closed, the shelter supervisor or hearing officer shall render a written decision. The decision shall contain findings of fact and conclusions of law. A copy of the decision shall be mailed by certified mail to the applicant, license holder, or owner of the animal.

C. Final Appeal. Unless the decision of the shelter supervisor or hearing officer is deemed final by provisions in this Title, an applicant, license holder, or owner of an animal may appeal the decision to the director of public safety. The director of public safety shall adhere to the same procedural requirements as set forth above in subsection (A). The decision of the director of public safety shall be final. (Ord. 752 § 14, 2006; Ord. 738 § 1 (part), 2005)

## Title 6 ANIMAL REGULATION AND PROTECTION

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### Chapter 6.12 ANIMAL LICENSES

- 6.12.010 License--Required.
- 6.12.030 License--Vaccination required.
- 6.12.050 License--Annual fee imposed.
- 6.12.070 License--Application--Issuance of certificate.
- 6.12.090 License tag--Duplicate.
- 6.12.110 License tag: attachment--Exceptions
- 6.12.130 License Tag: Delinquent fee--penalty.
- 6.12.010 License--Required.

Every owner of a dog or cat which is four months of age or older, and which is kept in the city, shall obtain a license tag and annual license for such dog or cat from the licensing agency and shall pay the annual fee imposed by a resolution of the city council. No person shall refuse to exhibit such license when so directed by a public safety or animal control officer. (Ord. 738 § 1 (part), 2005)

#### 6.12.030 License--Vaccination required.

The licensing agency shall not issue any dog or cat license under this chapter without presentation of a certificate of vaccination signed by a veterinarian showing that the dog or cat has been vaccinated with an approved rabies vaccine and the period of time from the date of vaccination to the date of expiration of the vaccination does not exceed the time interval prescribed by the State Department of Health. In no case shall a license be issued with an expiration date greater than the rabies vaccination expiration date. Where a certificate of vaccination shows that a dog should not be vaccinated due to infirmity or other disability, the nature of the infirmity and/or other disability and the estimated date of termination thereof shall be shown. (Ord. 738 § 1 (part), 2005)

#### 6.12.050 License--Annual fee imposed.

An annual dog and cat license fee set by resolution of the city council is imposed upon every dog and cat four months and older which is kept in the city by any person who is an owner as defined in Section 6.02.070 of this Title. Such license fee shall be reduced by at least fifty percent for spayed or neutered dogs or cats. The license fee is due and payable thirty days following the day upon which the dog or cat is four months old, or thirty days following the day upon which the dog or cat, if over the age of four months, is first owned by a resident of the city and thereafter on the anniversary date of the license or upon expiration of the rabies vaccination. The fee is an annual fee and shall not in any case be prorated. (Ord. 738 § 1 (part), 2005)

#### 6.12.070 License--Application--Issuance of certificate.

Upon each application for a license, the owner shall furnish to the city, in writing, his or her name, the address where the dog or cat is kept, the name, breed, age, sex and color of the animal, and proof of current vaccination. The city shall furnish application forms for such purpose and upon payment of the fee, and penalty, if any, shall issue a numbered license tag. (Ord. 738 § 1 (part), 2005)

#### 6.12.090 License tag--Duplicate.

If a license tag is lost or destroyed, a duplicate or other tag in lieu thereof shall be procured from the licensing agency within thirty days after loss or destruction. Upon receiving payment of a replacement fee, the licensing agency shall issue a replacement tag to the owner. The replacement fee shall be fixed by resolution duly adopted by the council which may be amended as necessary. (Ord. 738 § 1 (part), 2005)

#### 6.12.110 License tag: attachment--Exceptions

The dog and cat license tag issued to any dog or cat licensed pursuant to this Title shall be securely affixed to a collar, harness, or other device and shall be worn by such dog or cat at all times that the animal is in the city, except when the animal is confined in a commercial kennel, hobby kennel, or veterinary facility, or it is being exhibited at a show, field trial or other competition. The license tag shall be shown by the owner at any time upon demand by the animal control officer, licensing agency or its representatives. (Ord. 738 § 1 (part), 2005)

#### 6.12.130 License Tag: Delinquent fee--penalty.

The annual dog and cat license fee is delinquent if not paid within sixty days after it becomes due. A delinquent fee shall be added to any delinquent animal license fee. The delinquent fee shall be fixed by resolution duly adopted by the council which may be amended as necessary. (Ord. 738 § 1 (part), 2005)

Title 6 ANIMAL REGULATION AND PROTECTION

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Chapter 6.14 CONTROL

6.14.010 Restraint/Leash requirements.

6.14.030 Dogs in public parks--Prohibited--Exception.

6.14.010 Restraint/Leash requirements.

A.. No person owning or otherwise having an animal in his or her care, charge, control, custody or possession shall cause, permit, or allow such animal to enter or trespass upon public or private property so as to damage or destroy anything of value therein, or to interfere with the owners or occupants' use and enjoyment thereof.

B. No person owning or otherwise having a dog in his or her care, charge, control, custody or possession shall cause, permit or allow such dog to be in or upon any public street, road, alley or other public place unless such dog is restrained and under control by a leash no more than six feet in length or confined in a vehicle in a manner allowed under Section 6.04.290 of this Title.

C. The restraint requirements provided in this section shall not apply to a service or assistance dog; a dog participating in field or obedience trials; animal exhibitions; or a dog assisting a public safety officer engaged in law enforcement duties.

D. Any animal found in any public place, or upon private property of another without the consent of the owner or possessor of the private property, in violation of this Title, may be impounded. (Ord. 738 § 1 (part), 2005)

6.14.030 Dogs in public parks--Prohibited--Exception.

Dogs are prohibited in public parks and playground areas unless such dogs are under physical restraint by a person capable of controlling the dog by means of a leash. This provision shall not apply to any area specifically designated as a dog park or off leash exercise area. (Ord. 738 § 1 (part), 2005)

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Chapter 6.16 WILD AND EXOTIC ANIMALS

6.16.010 Wild and exotic animals--Keeping without proof of proper approvals prohibited.

6.16.030 Exotic animals at large--Prohibited.

6.16.050 Display of wild or exotic animals--Prohibited.

6.16.070 Display of wild or exotic animals--Enforcement.

6.16.090 Display of wild or exotic animals--Exceptions.

6.16.010 Wild and exotic animals--Keeping without proof of proper approvals prohibited.

No owner of any wild or exotic animal shall maintain such animal without proof of proper federal and state permits, inspections, and other required approvals. (Ord. 738 § 1 (part), 2005)

6.16.030 Exotic animals at large--Prohibited.

No person shall permit or allow any exotic animal to run at large. The animal control officer may seize and impound any exotic animal found in violation of this section and such impoundment shall be pursuant to this Title. (Ord. 738 § 1 (part), 2005)

6.16.050 Display of wild or exotic animals--Prohibited.

It shall be unlawful for any person to display or sponsor a display of wild or exotic animals on any public or private land within the city of Rohnert Park. (Ord. 738 § 1 (part), 2005)

6.16.070 Display of wild or exotic animals--Enforcement.

Police officers and the city's animal control officers shall have the power and authority to enforce the provisions of this chapter and perform all duties imposed by the provisions of this chapter. (Ord. 738 § 1 (part), 2005)

6.16.090 Display of wild or exotic animals--Exceptions.

The following are exempt from the provisions of this chapter:

- A. Institutions accredited by the American Zoo and Aquarium Association.
- B. Veterinarians, in the ordinary course of a veterinarian's practice of business.
- C. Institutions accredited by The Association of Sanctuaries and the American Sanctuary Association.
- D. Any person not otherwise included in these exceptions may submit written evidence to the city manager demonstrating that an additional exception should be granted because it is substantially similar to the purposes of the exceptions provided for in this section. (Ord. 738 § 1 (part), 2005)

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