

# **EXHIBIT A**

## **Title 6**

### **ANIMALS**

#### **6.04 Animal Control**

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**Sec. 6.04.010. Keeping of certain animals or poultry--Prohibited generally.**

Except as provided in Section 6.04.020, it shall be unlawful for any person to keep or cause to be kept in or upon any lot or place in the City at any time any cows, horses, mules, hogs, sheep, goats, rabbits, chickens, ducks, geese, turkeys, pigeons or other poultry; provided, however, that, this restriction shall not apply to poultry under four (4) months of age and that it shall not be unlawful to keep or feed cattle or hogs within the City not exceeding twenty-four (24) hours for the purpose of shipment.

**Sec. 6.04.020 Special Zoned Properties**

4H and FFA projects shall only be allowed in the City Limits on special zoned properties that are designated by the City Zoning Code. Horses, cows, animals of burden or any cattle, hogs or pigs may also be allowed on special zoned properties that are designated by the City Zoning Code. Barnyard fowl including chickens, ducks, geese, turkeys, pigeons or other poultry; are prohibited except in special zoned property that are designated by the City Zoning Code.

**Sec. 6.04.030 Allowing horses, cows, etc., to run at large.**

It shall be unlawful for any person to permit any horse, cow, animal of burden or any cattle, hog or pig of which he is the owner or over which he has control to run at large in the City.

**Sec. 6.04.040. Allowing horses, cows, etc., to go on premises of another person.**

It shall be unlawful for any person to permit any horse, cow, animal of burden or any cattle, hog or pig of which he is the owner or over which he has control to run over or go upon the premises of any other person without the permission of the owner of the premises in question.

**Sec. 6.04.050 Allowing diseased animals generally to run at large.**

It shall be unlawful for any person to allow any domestic animal owned by him to run at large within the City when such animal is infected with any contagious or infectious disease.

**Sec. 6.04.060 Destruction of domestic animal generally for preservation of public health.**

The City Administrator or his designee may order the destruction of any cat, dog or other domestic animal when it shall be deemed necessary for the preservation of the public health as designated by State Policy in Civil Code Sec. 1834.4; Food and Agricultural Code Sec. 17005; and Penal Code Sec. 599d.

**Sec. 6.04.070 Violations.**

Any person violating any of the provisions of this Chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not to exceed five hundred dollars, or by imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment. Everyday upon which violation of this Chapter exists, or continues, shall constitute a separate offense.

**Sec. 6.04.080 Presumption of responsibility for violation.**

(a) In any prosecution involving an animal, charging a violation of any provision referred to in Chapters 6.04 or 6.08 et seq. of this Code, proof by the people of the state that the particular animal described in the complaint was found in violation of any provision of such Section, together with proof that the defendant named in the complaint was at the time of the alleged violation the owner of the animal, shall constitute prima facie evidence that the owner of the animal was the person responsible for the violation of such provisions involving such animal. However, for the purposes of this Section, proof that a person is the owner of such animal is not prima facie evidence that he has violated any other provision of law.

(b) The presumption created by this Section shall be nullified when the person charged has made a bona fide sale or transfer and has delivered possession of the animal prior to the date of the alleged violations and has advised the City Administrator of the name and address of the purchaser, and of the date of sale.

**Sec. 6.04.090 Enforcement.**

The City Administrator or his designee thereof who is assigned to duties which include the enforcement of animal regulation laws and any peace officer is responsible for enforcing the provisions of this Chapter 6.04 and the following provisions of state law, each of which is incorporated herein by this reference:

- (a) California Administrative Code, Title 17, sections 2606 to 2606.8;
- (b) Food and Agricultural Code, article 1 (commencing with section 17001) and article 2 (commencing with section 17041 of chapter 7, division 9, part 1); and section 17121;
- (c) Health and Safety Code, chapter 3 (commencing with section 1900) of division 3; and chapter 13 (commencing with section 25970) of division 20;
- (d) Penal Code, Section 148;
- (e) Penal Code, Section 597
- (e) Any penal law of the state relating to or affecting animals.

**Sec. 6.04.100 Promulgation of rules and regulations by City Administrator.**

For the purpose of performing his duties under this Chapter, the City Administrator or his designee may, with the approval of the City Council, promulgate such rules and regulations as he may deem proper and necessary.

**Sec. 6.04.110 Authority of certain officers to make investigations.**

The City Administrator or his designee with probable cause may enter upon privately owned land to investigate reports of vicious animals, rabies or other contagious animal diseases, and to investigate violations of and enforce the provisions of this Chapter.

**Sec. 6.04.120 Conditions of ownership generally.**

Animal owners or keepers must comply with the following conditions of animal ownership; and the City Administrator or his designee may require, as a condition of licensing, such owners or keepers to sign permit or license applications agreeing to comply with such conditions:

- (a) Animals shall be restrained or confined as required by law.
- (b) Animals shall be humanely treated at all times.
- (c) Vaccinations, licenses and permits shall be obtained as required by law.
- (d) Animal premises shall be kept sanitary and shall not constitute a fly breeding reservoir, a source of offensive odors or of human or animal disease.
- (e) Animal and animal premises shall not be permitted to disturb the peace or constitute a public nuisance or hazard.

**Sec. 6.04.130 Allowing dogs to run at large--Generally.**

It shall be unlawful for the owner of any dog to suffer, permit or allow such dog to run at large on any public street, road, alley, park, square or place on any vacant or unenclosed lots or land within the City. A dog shall be deemed running at large within the meaning of this Section unless such dog is led or restrained by a chain, strap or cord attached to such dog's collar and actually held by a person or made fast to some stationary object.

**Sec. 6.04.140 Same--At field trials, etc.**

Dogs may be at large while participating in field trials and obedience classes with dog clubs and organizations that are recognized and sanctioned by the City. Such dogs must

be under direct and effective voice control of such individuals to assure that they do not violate any other provision of law.

**Sec. 6.04.150 Duty to curb dog.**

No person shall allow a dog in his custody to defecate or to urinate on public property or any private property other than that of the owner or person having control of the animal. It shall be the duty of all persons having control of a dog to curb such dog in order to carry out the intent of this Section.

**Sec. 6.04.160 Female dogs in season.**

Dog owners shall securely confine their female dogs while in season within an enclosure in a manner that will prevent the attraction of male dogs to the immediate vicinity.

**Sec. 6.04.170 Disturbing the peace; prima facie evidence of violation of Section.**

No person shall own or harbor an animal in such a manner that the peace and quiet of the public is disturbed. The written affirmation by two (2) persons, having separate residences, indicating that the howling, barking or other noise issued by an animal or that violation of Sections 6.04.120 (d) and (e), 6.04.090 and 6.04.190 of this Code, disturbs the peace and quiet of such persons shall be prima facie evidence of a violation of this Section.

**Sec. 6.04.180 Destruction of property.**

It shall be unlawful to willingly or negligently allow an animal under their possession or control to destroy the personal property of a third party. The destruction by an animal of personal property other than that which belongs to the owner of such animal shall be prima facie evidence of a violation of this Section.

**Sec. 6.04.190 Inhumane treatment; abandonment.**

No person shall treat an animal in a cruel or inhumane manner or willingly or negligently cause or permit any animal to suffer torture or unnecessary pain. No person shall abandon any domestic animal on any public or private property in the City.

**Sec. 6.04.200 Procedure for handling complaints; confidentiality of complainant's identity.**

Upon receiving a complaint from an identified person alleging a violation of this Chapter, and upon receiving the name and address of the owner of the animal, if known, an investigation to determine whether a violation exists shall be made. If the investigation discloses a violation of this Chapter, the prosecution may be initiated against the owner by the City. The complainant's identity shall be kept confidential to the extent permitted by law.

**Sec. 6.04.210 Capture of animals at large; limitation of liability.**

The City Administrator or his designee shall make every effort possible to capture any animal at large in violation of this Code and may destroy an animal at large if, in his judgment, such action is required for public health and safety and is in compliance with Food and Agricultural Code Secs. 31108, 31752, 31753.

**Sec. 6.04.220 Name and address of persons relinquishing animal to City.**

Any person who relinquishes an animal to the City Administrator or his designee shall give his name, address and, if he is not the owner, the location where he found the animal.

**Sec. 6.04.230 Notification to owner of lost or stray animal.**

Upon receipt of a lost or stray animal bearing a license tag, the Animal Control shall immediately mail and telephone to the owner of record, at the address indicated on the license form, a notice of the location of the animal.

**Sec. 6.04.240 Sale, possession, etc., of wild, etc., animals prohibited; impoundment and disposition of wild, etc., animals.**

No person shall offer for sale, give away, bring into or maintain within an area coming within the jurisdiction of the City, any lion, tiger, bear, monkey, wolf, cougar, ocelot, wildcat, skunk, venomous or dangerous snake, or geese, poultry, hogs, horses, etc., or other such wild animals (*ferae nature*), irrespective of their actual or asserted state of docility, tameness or domesticity.

**Sec. 6.04.250 Control of communicable diseases.**

No person shall knowingly harbor or keep any dog, cat or other animal afflicted with mange, ringworm, distemper or any other contagious disease, unless such dog or other animal is, in the opinion of the animal control officer, being given adequate treatment for such disease. It shall be the duty of the animal control officer to take immediate possession of any such animal not being so treated or which is not responding to such treatment, and he shall immediately humanely dispose of the animal unless the owner shall forthwith place such animal under the control and treatment of a licensed veterinarian.

**Sec. 6.04.260 Violation of Chapter declared to be nuisance.**

The introduction, possession, maintenance of any animal, or the allowing of any animal to be in contravention of this Chapter is, in addition to being a misdemeanor, declared to be a public nuisance which shall be abated by any means reasonably necessary, including, but not limited to, the destruction of the animal or animals involved.

**Sec. 6.04.270 Keeping dogs in a kennel.**

Notwithstanding any other provision of this Chapter or Chapter 6.08 of this Code, it is lawful for a kennel operator to keep, house, confine or maintain three (3) or more dogs in a licensed kennel in the City.

**Sec. 6.04.280 Kennel sanitation and insect control.**

Kennels shall be kept in a clean and sanitary condition at all times and shall be sprayed at least once each week with an insecticide of sufficient strength to kill flies, fleas, ticks and other similar insects.

**Sec. 6.04.290 Kennel compliance with zoning regulations.**

It is unlawful for any person to maintain, have or operate a kennel in, on or upon any property within the limits of the City unless such property is zoned for such purpose and the operator thereof has obtained all appropriate licenses and approvals from the City.

**Sec. 6.04.300 Kennel maintenance and operation.**

The kennel operator shall maintain the kennel at all times in a clean and sanitary condition. The kennel operator shall provide all animals in the kennel with adequate shelter, feed and fresh water; all feed shall be stored in covered, rat-proof containers protected against contamination and meat shall be kept refrigerated. Animal waste shall be immediately picked up and removed to appropriate covered containers. All kennels shall be so constructed and operated as to safely confine the dogs therein. Each kennel shall be operated to avoid excessive noise by animals in the kennel. Excessive noise shall be determined on the following factors:

- (a) The loudness of the noise;
- (b) The intensity of the noise;
- (c) The proximity of the noise to residential sleeping facilities;
- (d) The nature and zoning of the area within which the noise emanates;
- (e) The density of the inhabitation of the area within which the noise emanates;
- (f) The time of the day or night the noise occurs;
- (g) The duration of the noise;
- (h) Whether the noise is recurrent, intermittent, or continuous.

**Sec. 6.04.310 Kennel operator dog licenses and vaccinations.**

A kennel operator shall be required to obtain the individual licenses imposed by this Chapter for each dog in his kennel for which the kennel license is obtained and each kennel operator shall have each dog in his kennel vaccinated as required by this Chapter and a certificate of vaccination for each dog must be available for inspection.