

TITLE 10: KEEPING AND CONTROL OF DOGS, CATS AND VICIOUS ANIMALS

Chapter

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CHAPTER 10.01: DEFINITIONS/APPEAL PROVISIONS/FEEES

Section

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10.01.010 Definitions.

The following words and phrases shall, for the purposes of this Title, be defined as set out in this Section, unless it is apparent from the context that some other meaning is intended.

(a) “Animal Control Officer” means the Animal Control Officer designated by the City or his or her duly authorized representative; in the absence of such, the City Manager.

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

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

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

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

(f) “City” means the City of Canyon Lake.

(g) “Enclosure” means a fence, pen or structure suitable to securely and humanely prevent the animal from escaping or entry of unauthorized persons. The pen or structure shall have secure sides and a secure top which protects the animal from the elements. All sides must be embedded into the ground no less than two feet unless the bottom is adequately secured to the sides. The enclosure shall not be less than five feet by 20 feet and not less than six feet high and shall be kept in a clean and sanitary condition.

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

(i) “Health Officer” means the Health Officer for the City or his/her duly authorized representative.

(j) “Impounded” means having been received into the custody of any Animal Control Officer authorized by City to receive such animal.

(k) “Owner” means a person who possesses, harbors keeps or has a dog, cat or other animal in his or her custody, care, charge or control, or such persons or facility to which the owner temporarily has entrusted the control of the dog or cat.

(l) “Person” means any individual, firm, partnership, joint venture, corporation, association, club or organization.

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(m) “Public Entity” means any state, or any political subdivision, municipal corporation or agency thereof.

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

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

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

(q) “Unlicensed Dog/Unidentified Cat” means any dog or cat for which no valid license or identification is in force.

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

(s) “Veterinarian” means a professional licensed by the State to provide medical services to animals.
(32-12/92 ' 10.01.010)

10.01.020 Appeals under this Title.

Whenever a valid appeal of an administrative decision is received within the applicable timeframes, as set out in this Title, the following appeal procedures shall apply:

(a) Within five days of the receipt by the City Clerk or Deputy City Clerk of such notice of appeal, the Clerk or Deputy shall set a hearing date for the appeal and shall give written notice of the date, time and place of such hearing to the appellant.

(b) Such notice shall be sent by registered or certified mail, first-class, postage prepaid, return receipt requested.

(c) The date of hearing shall be not less than 20 days and not more than 45 days from the date of mailing of the notice of hearing.

(d) The appeal shall be heard by the City Council which may affirm, modify, or reverse the administrative decision. The appellant and City may present evidence and witnesses. In conducting the hearing, the City Council shall not be limited by the technical rules relating to evidence and witnesses, but evidence shall be of the type upon which responsible persons are accustomed to rely in the conduct of serious affairs.

(e) During the pendency of the appeal, there shall be in effect an automatic stay of the administrative decision unless otherwise provided or unless to do so creates a health, safety or welfare risk.

(f) The decision of the City Council shall be final.
(3212/92 ' 10.01.020)

10.01.030 Fees.

The City Council by resolution shall set the fees under this Title.
(32-12/92 ' 10.01.030)

CHAPTER 10.04: MANDATORY DOG LICENSING AND VACCINATION

Section

- 10.04.010 Unvaccinated dog a Code violation.
- 10.04.020 Unlicensed dog a Code violation.
- 10.04.030 Exemptions.
- 10.04.040 Presentation of license.

shall be licensed from Canyon Lake or another licensing jurisdiction.

(b) The term of the license shall be 1, 2 or 3 years from the date of issuance, depending upon the fee paid.

10.04.010 Unvaccinated dog a Code violation.

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

(b) Each veterinarian after vaccinating any dog shall sign a certificate of vaccination in duplicate in the form required by the Animal Control Officer. The veterinarian shall keep one copy and shall give one copy to the owner of the vaccinated dog and the owner shall retain such copy in his/her possession.
(32-12/92 ' 10.02.010)

(c) The Animal Control Officer shall issue a license only upon presentation of a certificate of vaccination indicating that the date of expiration of the vaccination is not earlier than the date of expiration of the license being issued or renewed, and upon payment of the applicable license fee determined by the City; provided, however, that where the vaccinated dog is between the ages of four months and 12 months, the period of vaccination immunity required for licensing shall be as specified in Title 17, California code of Regulations, Section 2606.4.

(d) Dogs must wear license identification times when off the premises of the owners.
(32-12/92 ' 10.02.020)

10.04.030 Exemptions.

(a) Notwithstanding the other provisions of this Chapter, in the event a dog has a short-term illness, is pregnant, or suffers from a long-term debilitating illness which in the opinion of a veterinarian contraindicates vaccination for rabies, such dog shall not be required to undergo vaccination during the period of such illness or pregnancy where a request for vaccination deferral has been approved by the Animal Control Officer. Such request shall specify the duration of the requested deferral, the reason for the requested deferral, and shall be signed by a veterinarian. The Animal Control Officer shall issue a license for such dog upon approval of the request for

10.04.020 Unlicensed dog a Code violation.

(a) Except as provided in Section 10.04.030, it shall be unlawful for any resident to own, harbor or keep any dog, four months of age or older, within the incorporated area of the City, for a period longer than 30 days, unless a currently valid license tag has been issued by the Animal Control Officer; notwithstanding, any dog brought into Canyon Lake

vaccination deferral and payment for the applicable license fee. The owner or person having custody of such dog shall confine and shall keep such dog confined for the duration of the deferral. The owner or person having custody of such dog shall present to the Animal Control Officer a certificate of vaccination in accordance with the provisions of this Section.

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

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

(c) Upon transfer of ownership of any dog validly licensed under this Chapter, the new owner shall notify the Animal Control Officer of such transfer within 30 days of such transfer, on a form prescribed by the Animal Control Officer, accompanied by a transfer fee as set by the City Council.

(d) If a valid license tag is lost or destroyed, a duplicate thereof may be procured from the Animal

Control Officer upon submission to the Animal Control Officer of a statement signed by the owner of the dog containing the date and circumstances of such loss or destruction and the payment of a fee.

(32-12/92 ' 10.02.030)

10.04.040 Presentation of license.

(a) Upon request of the Animal Control Officer, any owner of a dog for which a license is required under the provisions of this Chapter shall present to the Animal Control Officer a currently valid certificate of rabies vaccination or license tag.

(b) It shall be unlawful for any person to make use of a stolen, counterfeit or unauthorized license, tag, certificate or any other document or thing for the purpose of evading the provisions of this Chapter.

(32-12/92 ' 10.02.040)

CHAPTER 10.08: VOLUNTARY CAT IDENTIFICATION PROGRAM

Section

- 10.08.010 Voluntary program.
- 10.08.020 Permanent ear tag.
- 10.08.030 Temporary identification tags.
- 10.08.040 Untagged cats at large.
- 10.08.050 Permanent tags.

10.08.010 Voluntary program.

Cat owners may participate in a voluntary City cat identification program administered by the Animal Control Officer. The Animal Control Officer shall provide applications for such identification. The identification shall be permanent or temporary. A tag will be provided to the cat owner upon receipt of a completed application and any accompanying current documentation and payment of the appropriate fee. The tag is not transferrable to another cat as it is specific to the cat described in the application and is good only for the life of that cat. A replacement tag will be provided upon payment of the applicable fee.
(32-12/92 ' 10.03.010)

10.08.020 Permanent ear tag.

Permanent identification tags will be provided and attached to the cat's ear by the Animal Control Officer at a nominal cost (upon proof by a veterinarian of rabies vaccination) and of spaying or neutering and such tags will reflect those actions. An identified cat which has tags showing it has been vaccinated and spayed or neutered shall not be impounded but shall be released or returned to the owner as set out in Chapter 10.16.
(32-12/92 ' 10.03.020)

10.08.030 Temporary identification tags.

Temporary tags will be provided to the cat owner upon application to the Animal Control Officer and payment of the appropriate fee. The cat need not be vaccinated, spayed or neutered to receive a temporary tag. A temporarily tagged cat whose tags do not reflect spaying or neutering and vaccination shall be returned to its owner only after payment of the appropriate fee or spaying or neutering and vaccination as set out herein.
(32-12/92 ' 10.03.030)

10.08.040 Untagged cats at large.

An untagged cat at large may be impounded as set out in Chapter 10.16.
(32 12/92 ' 10.03.040)

10.08.050 Permanent tags.

A permanent identification tag may be obtained when the cat is spayed or neutered and vaccinated.
(32-12/92 ' 10.03.050)

CHAPTER 10.12: MANDATORY LICENSING OF KENNELS AND CATTERIES

Section

- 10.12.010 Requirement for kennel or cattery license.
- 10.12.020 Inspection after issuance of license.
- 10.12.030 Denial, suspension and revocation of kennel or cattery license.
- 10.12.040 Public nuisance.

10.12.010 Requirement for kennel or cattery license.

(a) No person shall operate or maintain a kennel or a cattery without first obtaining an appropriate license therefor from the Animal Control Officer.

(b) Such license shall be valid for a period of either one or two years from the date of issuance, except that the Animal Control Officer may, in his or her discretion, limit the duration of the license to one year when he or she deems such limitation to be appropriate. Said license shall be renewed within 30 days after the date of expiration. Where a kennel license has been issued and is in effect, the dogs contained in such kennel shall be exempt from the requirements of individual license tags. The kennel license fees, and late fees if an application for a license is made more than 30 days after the date such license is required, shall be set by resolution of the City Council.

(c) Application for a kennel or cattery license shall be filed with the Animal Control Officer on a form prescribed by him/her not later than ten days after obtaining written verification from the City Planning Officer that the operation of the kennel or cattery is in compliance with the applicable provisions of City Codes and Ordinances adopted by reference by the City. Said application form, when completed shall contain such information as may reasonably be

required by the Animal Control Officer for the purposes of enforcement of this Chapter, including, but not limited to, the current home telephone number of the caretaker of the subject kennel or cattery and another current telephone number for emergency use or messages when such caretaker is absent from the subject kennel or cattery and consent to enter the property for inspection or enforcement. Where a kennel or cattery is sought to be operated upon leased or rented premises, a letter of consent from the owner of the premises to the effect that the kennel or cattery may be maintained and operated on such premises shall be submitted to the Animal Control Officer at the time the application for the kennel or cattery license is submitted.

(d) After receipt of a kennel or cattery license application, the Animal Control Officer shall make an inspection of the premises of the kennel or cattery for which a license is requested. No kennel or cattery license shall be issued nor shall any such license be renewed, unless and until the kennel or cattery, in the opinion of the Animal Control Officer, satisfies the applicable laws and regulations of the State of California and the applicable ordinances of the City, and County of Riverside. Notwithstanding any other provision of this Chapter, the Animal Control Officer or the City Planning Director may, in their respective discretion, limit the numbers of dogs or cats over the age of four months which are kept or maintained in any kennel or cattery, and such limitation may be imposed at such time as an application for an initial kennel or cattery license is considered or at such time as an application for renewal of a kennel or cattery license is considered.

(32-12/92 ' 10.04.010)

10.12.020 Inspection after issuance of license.

(a) Notwithstanding any other provision of this Chapter, the Animal Control Officer is hereby authorized to enter upon and inspect the premises of any kennel or cattery located in the City for the purpose of determining whether such kennel or cattery is in compliance with the provisions of this Chapter.

As a condition of the issuance of a kennel or cattery license, each owner and operator of a kennel or cattery shall agree to allow such entry and inspection and such agreement shall be made a part of the license application. Such inspections shall be made during reasonable hours at times when the owner or operator of the kennel or cattery is present on the kennel or cattery premises, and with such frequency as the Animal Control Officer shall deem appropriate, and such inspections may, at the discretion of the Animal Control Officer, be made without prior notice to the owner or operator of the subject kennel or cattery. Willful refusal on the part of a kennel or cattery owner or operator to allow such inspection shall be grounds for summary denial of an application for a kennel or cattery license or for summary suspension or revocation of a kennel or cattery license.

(b) A nonprofit corporation formed pursuant to the provisions of the California Corporations Code commencing with Section 10400, for the prevention of cruelty to animals, shall not be required to pay a fee for the licenses required by Chapter 10.04, provided, however, that all other provisions of this Title shall be applicable to any such nonprofit corporation.

(32-12/92 ' 10.04.020)

10.12.030 Denial, suspension and revocation of kennel or cattery license.

The Animal Control Officer may, in his or her discretion, deny any application for a kennel or cattery license whether such application is for an original license or renewal of a license, and may suspend or revoke any kennel or cattery license if he/she finds that a kennel or cattery fails to meet any or all of the standards for kennels and catteries in this Chapter or is in violation of any law of the State or any provision of this Code.

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

(b) Appeal. Within 15 days after notice of such denial, suspension or revocation, any person whose application has been denied or whose license has been suspended or revoked, may appeal such denial, suspension or revocation by filing with the City Clerk or his or her deputy a written notice of appeal briefly setting forth the reasons why the appellant alleges such action is improper. The appeal shall be conducted under the provisions of Section 10.01.020; provided, however, that during any pending appeal the Animal Control Officer may take such action as he or she deems appropriate under this Code or any other provision of law respecting the subject kennel or cattery, including, but not limited to, the abatement of public nuisances, inspection of the kennel or cattery premises, or the prosecution of any violation of this Chapter or any other provision of law not related to the failure of the subject kennel or cattery to be currently and otherwise validly licensed.

(32-12/92 ' 10.04.030)

10.12.040 Public nuisance.

Even where a valid kennel or cattery permit is in effect, such permit does not prevent enforcement of public nuisance laws where applicable.

(32-12/92 ' 10.04.040)

CHAPTER 10.16: DOGS, CATS AND OTHER ANIMALS AT LARGE; IMPOUNDMENT

Section

- 10.16.010 Restraint.
- 10.16.020 Trapping.
- 10.16.030 Impoundment.
- 10.16.040 Spay/Neuter deposits for dogs and cats.

Cross-reference:

Requirements for pet waste disposal, see Chapter 15.02

10.16.010 Restraint.

(a) It shall be unlawful and a violation of this Code for an owner or the person in charge of such dog, cat or other animal to allow that dog, cat or other animal, licensed or unlicensed, to be at large as defined herein.

(b) All dogs shall be kept under restraint when off the owner's premises by a leash or other device of a size and material appropriate to the dog, held by a person capable of restraining such dog with that leash; restraint does not include voice, eye or signal control.

(c) No owner shall fail to prevent his animal from becoming a public nuisance.

(d) Every female dog or cat in heat shall be confined in a building or other enclosure in such a manner that she cannot come into contact with a male member of the same species except for planned breeding.
(32-12/92 ' 10.05.010)

10.16.020 Trapping.

In the interest of public health and safety, it shall be lawful for any person to take up, in a humane

manner, any dog, cat or other animal at large and promptly to deliver such dog, cat or other animal to the Animal Control Officer.

(a) For purposes of catching cats at large, City residents may rent cat traps from the Animal Control Officer.

(b) When a resident traps a cat with a permanent ear tag, that cat shall be released immediately. Alternatively, the resident may notify the Animal Control Officer to request impoundment if he or she believes the cat has been trapped before on at least three occasions within the past 12 months.
(32-12/92 ' 10.05.020)

10.16.030 Impoundment.

(a) The Animal Control Officer may receive, take up and impound any dog, cat or other animal at large in violation of this Chapter or any other law; any dog, cat or other animal which is molesting any person or other animal; any sick, injured or stray dog, cat or other animal.

(b) Where the Animal Control Officer impounds or is requested to impound a cat with a permanent ear identification tag, the Animal Control Officer shall immediately release the cat unless such cat has been impounded more than three times within the past 12 months, unless the provisions of Subsection (h) apply.

(c) If such cat has been trapped or impounded more than three times within the past 12 months, the Animal Control Officer may impound the cat and immediately notify the owner by telephone and mail as set out in Subsection (f) below. The cat shall be held for ten days, notwithstanding any provisions of this Chapter to the contrary.

(d) When a temporarily tagged cat is impounded, the owner shall be notified of such impoundment immediately by telephone and mail as set out below. The cat shall be held for five days, notwithstanding any provisions of this Chapter to the contrary. The cat will be released to the owner only upon payment of any applicable spay/neuter deposit, impound and any other required fees.

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

(f) Any officer impounding a licensed dog or tagged cat shall give written notice by first class mail, postage prepaid, to the last known address of the owner, of the impounding of such dog or cat and shall give the owner telephone notice where possible. If such dog or cat is not redeemed within ten days from the date of the mailing of such notice (or such other time as specified in 10.16.030(d) above), the officer having custody of the dog or cat shall either place it for adoption or destroy it as set out herein.

(g) Upon impounding an unlicensed dog or unidentified cat, the officer shall give notice to the owner, if the owner and his whereabouts are known, of the impounding of such dog or cat. If such dog or cat has not been redeemed within five days of the giving of such notice, the officer shall dispose of such dog or cat in accordance with the provisions of this Chapter or shall destroy such dog or cat. For the purpose of this Subsection, the notice specified herein shall be given in the manner determined by the officer as expedient under the circumstances.

(h) The officer having custody of any trapped or impounded dog or cat may, by humane methods, summarily destroy such dog or cat if the dog or cat is feral or is suffering from any incurable, dangerous or contagious disease, providing a veterinarian first shall certify, in writing, that such dog or cat is so suffering.

(i) Any officer having in his/her custody any unredeemed, impounded dog or cat may release such dog or cat to any adult individual upon payment by that

individual of the adoption fees and the spay/neuter deposit. The dog or cat also may be released to a nonprofit corporation formed under the provisions of the California Corporations Code for the prevention of cruelty to animals for such sale or placement as such nonprofit corporation or nonprofit organization may choose, except that such animals shall not be sold or released or given to labs. Releases of dogs or cats to such nonprofit corporations or nonprofit organizations pursuant to this Subsection shall not be subject to the payment of the impound/adoption fees but shall be subject to the spay/neuter deposit.

(j) It shall be unlawful for any person to remove an impounded animal from an Animal Control Center without the permission of the officer in charge thereof. (32-12/92 ' 10.05.030)

10.16.040 Spay/Neuter deposits for dogs and cats.

(a) No person shall be permitted to adopt or purchase any dog or cat which has not been spayed or neutered, from any public pound, any animal shelter, society or organization, unless and until a deposit per animal as determined by resolution of the City Council has been paid by the adopting person or purchaser to the pound, shelter, society or organization from which the subject dog or cat is being adopted or purchased.

(b) Any dog or cat over six months of age at the time it is adopted or purchased, shall be spayed or neutered within 60 days of the date of adoption or purchase or the deposit shall be deemed unclaimed and nonrefundable.

(c) Any dog or cat under the age of six months at the time it is adopted or purchased, shall be spayed or neutered within 60 days or the deposit shall be deemed unclaimed and nonrefundable.

(d) Upon the presentation to the Animal Control Officer of a written statement or receipt from a veterinarian that such adopted or purchased dog or cat has been spayed or neutered, such deposit shall be refunded without interest to the person who paid it. (32-12/92 ' 10.05.040)

CHAPTER 10.20: BARKING DOGS

Section

10.20.010 Disturbance of the peace.

10.20.020 Citation.

10.20.010 Disturbance of the peace.

It shall be unlawful for any person to keep or allow to be kept, or suffer or permit any dog to habitually bark, whine, howl, or make loud or unusual noises in such a manner as to disturb the peace and quiet of those surrounding or in the vicinity of such premises or of such dog.

(a) "Disturbs the peace and quiet" shall include, but is not limited to, the Animal Control Officer's or City's receipt of three or more written, signed complaints regarding the same animal over a ten day period describing such barking, whining or noises.

(b) Upon receipt of such complaints, the Animal Control Officer may investigate the barking, whining or noise and issue a warning or citation as necessary.

(c) A violation of this Chapter also may be abated as a public nuisance under Chapter 10.36.
(32-12/92 ' 10.07.010)

10.20.020 Citation.

Nothing contained herein shall prevent a police officer from citing the dog owner under Penal Code Section 415.

(32-12/92 ' 10.07.020)

CHAPTER 10.24: RABIES SUPPRESSION, CONTROL AND QUARANTINE OF ANIMALS

Section

- 10.24.010 Rabies.
- 10.24.020 Animal bitten by a rabid animal.
- 10.24.030 Person bitten by an animal.

10.24.010 Rabies.

If it shall appear to the Animal Control Officer that any animal has rabies, the Animal Control Officer may destroy such animal forthwith, or may hold such animal for further examination or observation for such time as the Animal Control Officer may determine to be appropriate.

(32-12/92 ' 10.08.010)

10.24.020 Animal bitten by a rabid animal.

Whenever any animal has been bitten by an animal which has rabies, which exhibits any symptoms of rabies or which is otherwise suspected of having or having been exposed to rabies, the owner or person having custody of such bitten animal shall immediately notify the Animal Control Officer, and shall immediately confine the bitten animal and maintain that confinement until it is established to the satisfaction of the Animal Control Officer that such animal does not have rabies. The Animal Control Officer shall have the power to quarantine any such animal, or impound it at the owner's expense if the owner or person having custody of such animal shall fail, refuse, or is unable, in the opinion of the Animal Control Officer, to adequately confine such animal immediately, or in the event the owner or person having custody of such animal is not readily accessible.

(32-12/92 S 10.24.020)

10.24.030 Person bitten by an animal.

Whenever it is shown that any animal has bitten any person, the owner or person having custody of such animal shall, upon the order of the Animal Control Officer, quarantine such animal and keep it confined at the owner's expense for a minimum period of ten days for dogs and cats and 14, days for all other animals, and shall allow the Animal Control Officer to make an inspection or examination of such animal at any time during such period of quarantine. Animals quarantined pursuant to this Subsection shall not be removed from the premises upon which such animal is quarantined without permission of the Animal Control Officer. The Animal Control Officer is hereby authorized to impound any animal at the owner's expense in the event the owner or person having custody of such animal fails or refuses to so confine such animal. Animals quarantined pursuant to this Subsection shall remain under quarantine until notice is given by the Animal Control Officer that such quarantine is terminated.

(a) The Animal Control Officer may, in his or her discretion, post or cause to be posted an appropriate sign on any premises where an animal is quarantined pursuant to this Chapter, for the purposes of warning the public of the fact of such quarantine. It shall be unlawful for any person to remove a sign posted pursuant to this Subsection without the prior written permission of the Animal Control Officer.

(b) Whenever the Animal Control Officer determines that an epidemic of rabies exists or may be threatened, the Animal Control Officer shall have the authority to take such measures as may be reasonably necessary to prevent the spread of the disease, including, but not limited to, the declaration of quarantine against any or all animals in any area of the

City as the Animal Control Officer may determine and define, for a period of not more than 120 days. An additional or extended quarantine period may also be declared if such additional or extended quarantine period shall be necessary by the Animal Control Officer for the protection and preservation of the public health, peace and safety. Any quarantine declared pursuant to this Subsection, other than as restricted herein, shall be upon such conditions as the Animal Control Officer may determine and declare.

(32-12/92 ' 10.08.030)

CHAPTER 10.28: CRUELTY TO DOGS AND CATS AND OTHER ANIMALS

Section

- 10.28.010 Cruelty to animals.
- 10.28.020 Impoundment for cruelty.
- 10.28.030 Procedure for impoundment for cruelty; pre-seizure hearing.
- 10.28.040 Procedure for post-seizure hearing.
- 10.28.050 Liability for costs.

10.28.010 Cruelty to animals.

No dog, cat or other animal shall be abandoned or treated in a cruel or inhumane manner, or willfully or negligently allowed to suffer torture or unnecessary pain. Any person who so treats an animal within the City shall be in violation of this Code, which violation shall be a misdemeanor, punishable as set out in 1.01.230.

(32-12/92 ' 10.09.010)

10.28.020 Impoundment for cruelty.

Any dog, cat or other animal which has been so treated in violation of this Code or State law may be impounded, disposed of in a humane manner, or put up for adoption where feasible by the Animal Control Officer.

(32-12/92 ' 10.09.020)

10.28.030 Procedure for impoundment for cruelty; pre-seizure hearing.

At least five days prior to the impoundment of any dog or cat pursuant to this Chapter, written notice shall be given by registered or certified mail, postage prepaid, to the owner's last known address, of the grounds for believing the animal should be seized and such owner's right to a hearing as to whether or not

impoundment of his or her dog, cat or other animal is justified.

(a) The notice shall include all of the following information:

(1) The name, business address, and telephone number of the Animal Control Officer providing the notice;

(2) A description of the animal to be seized, including any identification upon the animal;

(3) The authority and purpose for the possible seizure or impoundment;

(4) A statement that, in order to receive a hearing prior to any seizure, the owner or his or her agent should sign and return the enclosed declaration of ownership or right to keep the animal to the Animal Control Officer providing the notice within two days, (excluding weekends and holidays), of the date of the notice; and

(5) A statement that the cost of caring for and treating any animal properly seized under this Section is a lien on the animal; that any animal seized shall not be returned to the owner until such charges are paid, and that failure to request or to attend a scheduled hearing shall result in a conclusive determination that the animal may properly be seized and that the owner shall be liable for the charges.

(b) The Animal Control Officer also shall cause a notice to be affixed to a conspicuous place where the animal was situated or personally deliver to the owner a copy of the notice.

(c) In the event the owner requests a hearing prior to impoundment, no impoundment shall take

place until the conclusion of such hearing, except as otherwise provided herein.

(d) The pre-seizure hearing shall be conducted within two (2) days, excluding weekends and holidays, after receipt of the request for such hearing. The hearing officer shall not be the Animal Control Officer but may be the City Manager, his or her designee or a panel of residents designated by the City Council for this purpose. The hearing shall be informal and shall not be limited by the technical rules of evidence, but evidence shall be of the type upon which reasonable people rely.

(e) Failure of the owner to request or to attend a scheduled hearing shall result in a forfeiture of any right to a pre-seizure hearing or right to challenge his or her liability for costs incurred pursuant to this Chapter.

(f) The owner shall produce the animal at the time of the hearing unless, prior to the hearing, the owner has made arrangements for the Animal Control Officer to view the animal, or unless the owner can provide verification that the animal has been humanely destroyed. Any person who willfully fails to produce the animal or provide appropriate verification is guilty of a violation of this Code.

(g) After the hearing, the hearing officer may affirm or deny the owner's or keeper's right to custody of the animal and, if reasonable grounds are established, may order the seizure or impoundment of the animal for care and treatment.

(h) The hearing officer's decision may be appealed to the City Council in writing, within ten days after the hearing officer's determination. The appeal shall be conducted as set out in Section 10.01.020; provided, however, that during any pending appeal the Animal Control Officer may take any action he or she deems necessary to protect the animal.

(32-12/92 ' 10.09.030; and by 40-10/93 Section 1)

10.28.040 Procedure for post-seizure hearing.

Whenever the Animal Control Officer seizes or impounds an animal based on a reasonable belief that

prompt action without a hearing is required to protect the health or safety of the animal or the health or safety of others, the Animal Control Officer shall provide the owner or keeper of the animal, if known, or ascertainable after reasonable investigation, with the opportunity for a post-seizure hearing to determine the validity of the seizure or impoundment.

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

(1) The name, business address, and telephone number of the officer providing the notice;

(2) A description of the animal seized, including any identification upon the animal;

(3) The authority and purpose for the seizure or impoundment, including the time, place, and circumstances under which the animal was seized;

(4) A statement that, in order to receive a post seizure hearing, the owner may request the hearing by signing and returning an enclosed declaration of ownership or right to keep the animal to the Animal Control Officer within ten days, including weekends and holidays, of the date of the notice. The declaration may be returned by personal delivery or mail; and

(5) A statement that the cost of caring for and treating any animal properly seized under this Section is a lien on the animal and that the animal shall not be returned to the owner until the charges are paid, and that failure to request or to attend a scheduled hearing shall result in liability for this cost.

(b) The post-seizure hearing shall be conducted within two days of receipt of the request for such hearing, excluding weekends and holidays, and shall be conducted as set out in Section 10.28.030.

(c) Failure of the owner to request or to attend a scheduled hearing shall result in a forfeiture of any right to a post-seizure hearing or right to challenge his or her liability for costs incurred.

(32-12/92 ' 10.09.040)

10.28.050 Liability for costs.

(a) When any animal is seized under this Chapter, the owner shall be personally liable to the City or its contractor for the cost of the seizure and care of the animal. If the charges for the seizure or impoundment and any other charges permitted under this Section are not paid within 14 days of the seizure, or, if the owner, within 14 days of notice of availability of the animal to be returned, fails to pay charges permitted under this Section and take possession of the animal, the animal shall be deemed to have been abandoned and may be disposed of or released for adoption by the Animal Control Officer. The charges may be collected as set out in Section 10.36.060.

(b) No animal seized under this Chapter shall be returned to its owner until, in the determination of the Animal Control Officer, the animal is physically fit or the owner can demonstrate to the Animal Control Officer's satisfaction that the owner can and will provide the necessary care.

(c) If the animal requires veterinary care and the City and Animal Control Officer are not assured, within fourteen (14) days of the seizure of the animal, that the owner will provide the necessary care, the animal shall not be returned to its owner and shall be deemed to have been abandoned and may be disposed of by the Animal Control Officer.

(d) A veterinarian may humanely destroy an impounded animal without regard to the prescribed holding period when it has been determined that the animal has incurred severe injuries or is incurably crippled. A veterinarian also may immediately humanely destroy an impounded animal afflicted with a serious contagious disease unless the owner immediately authorizes the treatment of the animal by a veterinarian at the owner's expense.

(32-12/92 ' 10.09.050)

CHAPTER 10.32: ENFORCEMENT

Section

10.32.010	Responsibilities of Animal Control Officer.	California Code of Civil Procedure, Sections 1822.50 through 1822.56, inclusive; or
10.32.020	Establishment of a pound.	
10.32.030	Interference with an Animal Control Officer.	(3) Except as may otherwise be expressly or impliedly permitted by law. (32-12/92 ' 10.10.010)
10.32.040	Application of California Penal Code.	

10.32.010 Responsibilities of Animal Control Officer.

(a) The Animal Control Officer shall supervise the administration and enforcement of this Title and of the laws of the State of California pertaining to the control of dogs, cats and other animals as necessary. The Animal Control Officer and any peace officer are authorized to enforce and carry out the provisions of this Title and may receive, take and impound any dog or cat at large or which is molesting any person or other animal; investigate a potentially dangerous or vicious animal; and follow the provisions of Penal Code Section 597(f).

(b) Unless otherwise prohibited by law, all persons authorized to enforce the provisions of this Title hereby are empowered to enter upon private property where any animal, dog or cat is kept or reasonably believed to be kept, for the purpose of ascertaining whether such dog or cat is kept in violation of any provision of this Title. However, no such entry may be conducted:

(1) Without the express or implied consent of the property owner or the person having lawful possession thereof; or

(2) Unless an inspection warrant has been issued and the entry is conducted in accordance with

10.32.020 Establishment of a pound.

The City Council may enter into a written agreement or agreements with any veterinarian or any organized humane society or association which will undertake to carry out the provisions of this Title and maintain and operate a pound, and which will license, take up, impound and dispose of animals. Any such veterinarian or society or association which shall enter into such an agreement shall carry out all of the provisions of this Title in the manner herein prescribed.
(32-12/92 ' 10.10.020)

10.32.030 Interference with an Animal Control Officer.

It shall be unlawful for any person to interfere with, oppose or resist any Animal Control Officer or person empowered to enforce the provisions of this Title while such officer or person is engaged in the performance of his/her duties.
(32-12/92 ' 10.10.030)

10.32.040 Application of California Penal Code.

Nothing in this Code shall prevent the Animal Control Officer from acting, when he or she deems it appropriate to do so, under the applicable provisions of California Penal Code, Sections 597 *et seq.*
(32-12/92 ' 10.10.040)

CHAPTER 10.36: PUBLIC NUISANCE

Section

- 10.36.010 Abatement as a public nuisance.
- 10.36.020 Notice and hearing.
- 10.36.030 Waiver of hearing.
- 10.36.040 Conduct of hearing.
- 10.36.050 Appeal.
- 10.36.060 Collection of abatement costs.

Cross-reference:

Requirements for pet waste disposal, see Chapter 15.02

10.36.010 Abatement as a public nuisance.

The possession or maintenance of any animal, dog or cat in violation of or the allowing of any animal, dog or cat to be in violation of this Title, in addition to being a violation of this Code, is hereby declared to be a public nuisance.

(a) The Animal Control Officer, City Manager or his or her designee hereby are directed and empowered to summarily abate any such public nuisance independently of any criminal prosecution or the results thereof, by any means reasonably necessary to accomplish such abatement, including, but not limited to, the destruction of the animal involved, or by the imposition of specific reasonable conditions and restrictions for the maintenance of such animal.

(b) Failure to comply with such conditions and restrictions is a misdemeanor.

(c) The owner of such animal, dog or cat shall reimburse the City for all costs incurred in enforcing compliance with the provisions in this Chapter.

(d) The City may also commence and maintain such proceedings in a court of competent jurisdiction as are appropriate under the laws and regulations of the

State of California for the abatement and redress of public nuisances.
(32-12/92 ' 10.11.010)

10.36.020 Notice and hearing.

At least five days prior to abatement pursuant to this Chapter, the owner or custodian of the subject dog or cat shall be notified by the Animal Control Officer, in writing, of the problem to be abated and right to a hearing to determine whether grounds exist for such abatement. The notice shall be served by personal delivery or by registered or certified mail, postage prepaid, return receipt requested. If the owner requests a hearing prior to abatement, no abatement shall take place until the conclusion of such hearing, except as provided in Section 10.36.030 below. The hearing shall be conducted pursuant to Section 10.36.040.

(32-12/92 ' 10.11.020)

10.36.030 Waiver of hearing.

When, in the opinion of the Animal Control Officer, immediate impoundment or other abatement is necessary for the preservation of animal or public health, safety or welfare, the pre-impoundment hearing shall be deemed waived, provided, however, that the owner or custodian of the subject dog or cat shall be given notice by the Animal Control Officer, in writing, which allows five days from the date of service to request an abatement hearing. Service of such notice shall be in accordance with the service methods specified in Section 10.36.020. The subject animal dog or cat shall not be disposed of prior to the conclusion of the hearing. If no request for a hearing is received from the owner of the subject animal dog or cat, within the timeframe set out, the animal dog or cat shall then be disposed of pursuant to applicable provisions of law.

(32-12/92 ' 10.11.030)

10.36.040 Conduct of hearing.

Hearings pursuant to this Chapter shall not be conducted by the Animal Control Officer but by the City Manager, his or her designee, or by a panel of residents designated by the City Council for this purpose. Hearings shall be held not more than five days from the date of receipt of the request for the hearing and shall be conducted in an informal manner consistent with due process of law. A hearing may be continued for a reasonable period of time if the parties agree or the hearing officer determines good cause therefor. Within ten days after the conclusion of the hearing, the hearing officer shall give notice of his or her findings, decision and order to the owner of the animal dog or cat. Such notice shall be served as set out in Section 10.36.020. (32-12/92 ' 10.11.040)

10.36.050 Appeal.

The hearing officer's determination may be appealed to the City Council in writing, within ten days after receipt of notice of the hearing officer's decision. The appeal shall be conducted as set out in Section 10.01.020 of this Title. (32-12/92 ' 10.11.050; amnd by 40-10/93 Section 2)

10.36.060 Collection of abatement costs.

Any and all abatement expenses may be collected from the owner or placed as a lien or special assessment against the property. Such expenses shall include, but not be limited to, the cost of abatement, mailing, researching, as well as any legal costs and the costs of impoundment of the animal.

(a) The City Manager shall send to the owner of the animal by certified mail, postage prepaid, notice of the amount of such costs, providing 30 days for payment of such costs. If such costs are not paid within that time period, or an objection to such costs is not filed within that time period, a lien or special assessment may be placed against the owner's property for the total amount of such costs. The lien or assessment shall be collected at the same time, in the

same manner and subject to the same penalties for delinquency as real property taxes.

(b) If such objections are filed, the City Clerk shall schedule a hearing before the City Council on such objections and shall give notice as set out in (a) above. Any sums not paid within 30 days after an order for their payment by the City Council shall be filed with the County Auditor and may become a lien and special assessment on the property to be collected with the next city taxes or from the owner of the animal personally. The notice of lien also must be recorded against the property in order to give notice to subsequent purchasers.

(32-12/92 ' 10.11.060)

CHAPTER 10.4: POTENTIALLY DANGEROUS AND VICIOUS ANIMALS

Section

10.40.010	Definitions.	(2) Any animal which, when unprovoked, bites a person causing an injury, whether or not a severe injury; or
10.40.020	Exceptions.	
10.40.030	Determination of APotentially Dangerous Animal.@	
10.40.040	Designation in City records.	(3) Any dog which, when unprovoked, on two (2) separate occasions within the prior 36-month period, has killed, seriously bitten, inflicted injury, or otherwise caused injury by attacking a domestic animal off the property of the owner of the dog.
10.40.050	Licensing requirements.	
10.40.060	Animal restraints.	
10.40.070	Transfer or death of animal.	
10.40.080	Identification of vicious animals.	
10.40.090	Consequences of designation as vicious animal.	(b) “Vicious animal” means any of the following:
10.40.100	Photographs and measurements of animal.	(1) Any animal seized under Section 599aa of the Penal Code and upon the sustaining of a conviction of the owner under subdivision (a) of Section 597.5 of the Penal Code;
10.40.110	Confinement.	(2) Any animal which, when unprovoked, in an aggressive manner, inflicts severe injury on or kills a human being; or
10.40.120	Animal leash and muzzle.	
10.40.130	Vicious dog.	
10.40.140	Notification of change of status.	
10.40.150	Time limit to meet requirements; Euthanasia.	(3) Any animal previously determined to be and currently listed as a potentially dangerous animal which, after its owner has been notified of this determination, continues the potentially dangerous behavior or maintains the animal in violation of the restrictions of this Chapter.
10.40.160	Inspection.	
10.40.170	Confinement/Seizures/Impoundment.	
10.40.180	Impoundment.	
10.40.190	Assessment of charges.	
10.40.200	Penalty for violations.	

10.40.010 Definitions.

The following words and phrases shall, for the purposes of this Chapter, be defined as follows:

(a) “Potentially dangerous animal or behavior” means any of the following:

(1) Any animal which, when unprovoked, on two separate occasions within the prior 36-month period, engages in any behavior that requires a defensive action by any person to prevent bodily injury;

(c) “Severe injury” means any physical injury to a human being that results in muscle tears, disfiguring lacerations or requires multiple sutures or corrective or cosmetic surgery.

(d) “Mitigations” include, but are not limited to, the question of whether any threat, injury or damage is sustained by a person who:

(1) Was willfully trespassing upon the premises occupied by the owner or custodian of the animal at the time of the attack;

(2) Was teasing, provoking, tormenting, abusing, or assaulting the animal at the time of the attack;

(3) Has in the past, teased, tormented, abused or assaulted the animal;

(4) Was engaged in the commission of a crime at the time of the attack; or

(5) Was defending an attack from a person or animal at the time of the attack.
(32-12/92 ' 10.12.010)

10.40.020 Exceptions.

This Chapter does not apply to humane society shelters, animal control facilities, or veterinarians or to dogs while utilized by any police department or any law enforcement officer in the performance of police work.
(3212/92 ' 10.12.020)

10.40.030 Determination of “Potentially Dangerous Animal.”

An animal administratively may be determined to be a potentially dangerous animal in the following way:

(a) Upon observation or independent investigation of a potentially dangerous animal or behavior or upon receipt of a complaint(s) signed by a person(s) who actually observed the animal’s potentially dangerous behavior, the Animal Control Officer may investigate or consider any mitigations and whether such behavior by the animal constitutes potentially dangerous behavior;

(b) If the Animal Control Officer determines that such behavior is potentially dangerous, he or she shall notify the owner of the consequences of identification as “potentially dangerous” and schedule an administrative hearing on that determination. The notice shall be served and the hearing shall be conducted as set out in Sections 10.36.020 and 10.36.040. At least one of the complainants in the

matter must appear and testify at the hearing or the complaint shall be dismissed. The Hearing Officer specifically shall consider any circumstances of mitigation as well as any record of any prior violations by the owner;

(c) The Hearing Officer shall issue a written determination within ten days after the hearing has been completed; or

(d) The decision of the Hearing Officer may be appealed to the City Council in writing, within ten days after the Hearing Officer's determination. The appeal shall be conducted as set out in Section 10.01.020.
(32-12/92 ' 10.12.030)

10.40.040 Designation in City records.

A potentially dangerous animal shall be so designated in City animal control records. When the owner of the animal has no additional violations of this Chapter within a 12-month period from the date of designation as a “Potentially Dangerous” animal, the Animal Control Officer shall remove the animal from the list of “Potentially Dangerous” animals, upon written application of the owner and upon proof to the satisfaction of the Animal Control Officer of the successful completion of at least eight weeks of formal obedience training, other similar evidence of training, or other rehabilitative efforts.
(32-12/92 ' 10.12.050)

10.40.050 Licensing requirements.

All potentially dangerous animals shall be properly licensed and vaccinated as required by Chapter 10.01. The licensing authority shall include the potentially dangerous designation in the registration records of the animal. The owner shall pay an annual “Potentially Dangerous Animal Registration Fee” in addition to the regular licensing fee as set by resolution of the City Council.
(3212/92 ' 10.12.060)

10.40.060 Animal restraints.

A potentially dangerous animal, while on the owner's property, shall at all times be kept indoors, or in a securely fenced, locked yard from which the animal cannot escape, and which children cannot enter. A potentially dangerous animal may be off the owner's premises only if it is restrained by a chain or leash adequate to restrain that specific animal and under the control of a responsible adult.

(32-12/92 ' 10.12.070)

10.40.070 Transfer or death of animal.

The owner of a "Potentially Dangerous" animal shall notify the Animal Control Officer, in writing, if the animal dies or is sold, transferred or permanently removed from the City of Canyon Lake.

(32-12/92 ' 10.12.080)

10.40.080 Identification of vicious animals.

An animal may be identified as "vicious" in the following manner:

(a) The Animal Control Officer may determine, based on his or her observation or investigation, or a verified complaint from persons who have observed the animal and consideration of any applicable mitigations, that the animal is vicious. Where the animal has been identified as potentially dangerous, and the owner has failed to meet any of the requirements of this Chapter, the Animal Control Officer shall determine that the animal is vicious upon a subsequent complaint or his or her observation;

(b) Where the Animal Control Officer makes such a determination, he or she shall set a hearing on such determination and on the seizure and impoundment of the animal pending or based upon such determination;

(c) Notice and hearing shall be given as set out in Sections 10.36.020, 10.36.030 and 10.36.040. The notice shall include the facts which are the basis of the

complaint and of the restrictions which will apply to the animal including possible euthanasia if it is classified as a vicious animal; or

(d) If the owner fails to appear at the hearing, the hearing shall nevertheless proceed, and an appropriate order shall be issued. If the hearing is held as a result of a complaint, at least one of the complainants shall appear and testify at the hearing or the action shall be dismissed. The decision may be appealed as set out in Section 10.01.020.

(32-12/92 S 10.12.090)

10.40.090 Consequences of designation as vicious animal.

Where an animal is designated "vicious" the following requirements shall apply:

(a) All vicious animals shall be properly licensed and vaccinated as required by Chapter 10.01. In addition, the licensing authority shall include a designation of vicious in the registration records of such animal. The owner shall pay an annual "Vicious Animal Registration Fee," in addition to the regular license fee as set by resolution of the City Council; and

(b) The owner shall, at his or her own expense, have the vicious animal registration number assigned to the animal permanently tattooed upon the animal's left ear or, if the left ear is not available, in the left inner thigh, by a licensed veterinarian or person trained and authorized to do business as a tattooist. In addition, a conspicuously colored tag, provided by the Animal Control Officer shall be securely affixed to the animal.

(32-12/92 ' 10.12.100)

10.40.100 Photographs and measurements of animal.

An owner of a vicious animal shall, within ten days of such determination, present said animal at the Animal Control Officer's facility and allow

photographs and measurements of the animal to be taken for purposes of identification.
(32-12/92 ' 10.12.110)

10.40.110 Confinement.

A vicious animal shall be secured confined in an enclosure as defined in this Chapter or in the dwelling while on the owner's or custodian's property. The owner shall conspicuously display signs with words or symbol warning of the presence of a vicious animal as approved by the Animal Control Officer.
(32-12/92 ' 10.12.120)

10.40.120 Animal leash and muzzle.

While off the owner's premises, a vicious animal shall at all times be restrained by a substantial metal or leather chain or leash not exceeding six feet in length, held by and under the control of a responsible adult, and the animal shall wear a muzzle approved by the Animal Control Officer. "Substantial" shall have the same meaning as set out in Section 10.40.070.
(32-12/92 ' 10.12.130)

10.40.130 Vicious dog.

A vicious dog also shall be spayed or neutered, at the owner's expense, within 30 days of such determination.
(32-12/92 ' 10.12.140)

10.40.140 Notification of change of status.

The owner of a vicious animal shall notify the City or Animal Control Officer immediately if said animal is loose, unconfined, has attacked another animal or human being, or has died. A vicious animal shall not be sold, bartered, or given away, or placed in a new home within the City without the prior notification of and approval by the City and Animal Control Officer. Any new owner must comply with the requirements of this Chapter.
(32-12/92 ' 10.12.150)

10.40.150 Time limit to meet requirements; Euthanasia.

All requirements for owners of vicious animals must be satisfied within 30 days of the identification and satisfactory proof of compliance provided to the Animal Control Officer. If all requirements for vicious animals are not satisfied within 60 days of the finding, or within an extension of such time granted by the Animal Control Officer in writing, or the owner is unwilling to implement them, the animal may be humanely euthanized either by the Animal Control Officer or by a licensed veterinarian. Proof of euthanasia shall be provided to the Animal Control Officer within three days of its occurrence.
(32-12/92 ' 10.12.160)

10.40.160 Inspection.

The Animal Control Officer is authorized to make inspections he or she deems reasonably necessary to ensure compliance with these provisions, subject to the requirements for the owner's consent or an administrative inspection warrant. The owner of a vicious or potentially dangerous animal shall give consent in writing to such inspection as a condition of retaining the animal.
(32-12/92 ' 10.12.170)

10.40.170 Confinement/Seizures/Impoundment.

If the Animal Control Officer has probable cause to believe an animal may be designated as "potentially dangerous" or "vicious" under this Chapter, and the owner is unwilling or unable to correct the situation immediately, and the animal poses an imminent threat to the health or safety of persons or domestic animals, the animal may be seized before a hearing.

Pending the outcome of the hearing or appeal set out in this Chapter or during the period of time the owner requires to comply with any requirements imposed hereunder, the animal shall be kept at an appropriate animal shelter, designated by the Animal Control Officer, at the owner's expense.

Notwithstanding, the owner may show at the hearing to the satisfaction of the Animal Control Officer that the animal can be humanely and securely confined at home or with a veterinarian designated by the owner.

(32-12/92 ' 10.12.180)

10.40.180 Impoundment.

Any registered vicious animal shall be immediately impounded by the Animal Control Officer if:

(a) The animal's registration is not properly maintained;

(b) Inspection by the Animal Control Officer reveals that the animal is not maintained in the required enclosure;

(c) The animal is outside of the dwelling of the owner or the defined enclosure and not under the physical restraint control of a responsible adult; or

(d) Even if the owner is in compliance with the regulations for keeping such a dangerous animal, if the animal again attacks, bites, causes injury, or otherwise threatens the safety of a human being or domestic animal then, thereafter, the animal may be impounded and shall be kept at an appropriate facility designated by the Animal Control Officer at owner's expense pending to the public health and safety and must be humanely euthanized or whether the animal can be safely returned to the owner under certain conditions.

(32-12/92 ' 10.12.190)

10.40.190 Assessment of charges.

A keeping charge may be assessed against the owner of any animal for each day during which the animal is impounded or held by the Animal Control Officer under the provisions of this Chapter. An animal held under the provisions of this Chapter shall not be released until the owner pays all charges due. If the owner refuses to pay such charges, the animal may

be treated as unredeemed by the owner, and disposed of as provided in Section 10.16.030(f). Disposal of the animal does not release the owner from his/her responsibility to pay the keeping charges and such charges may be collected under Section 10.36.060.

(32-12/92 ' 10.12.200)

10.40.200 Penalty for violations.

Any person violating any of the provisions of this Chapter is guilty of a misdemeanor.

(32-12/92 ' 10.12.210)

the outcome of a hearing and appeal under this Chapter to determine

CHAPTER 10.44: REPEAL

Section

10.44.010 Repeal.

10.44.010 Repeal.

The provisions of Riverside County Ordinance No. 630 are repealed in their entirety.
(32-12/92 ' 3)

