

## CHAPTER 5.

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<sup>1</sup>Editor's Note: Former Chapter 5 entitled "Animals and Fowl" was repealed and replaced in its entirety by a new Chapter 5 entitled "Animal Control" by Ordinance No. 618 adopted October 1, 1985.

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## Article I. In General.

### Sec. 5-1. Short title.

This chapter shall be known as, and may be cited and referred to as, "The Animal Control Ordinance." (Ord. No. 618)

### Sec. 5-1.1. References.

Whenever any reference is made to any portion of this chapter such reference applies to all amendments and additions thereto now or hereafter made. (Ord. No. 618)

### Sec. 5-1.2. Tense.

The present tense includes the past and future tenses; and the future, the present. Each gender includes the other gender. (Ord. No. 618)

### Sec. 5-1.3. Singular/plural.

The singular number includes the plural and the plural the singular. (Ord. No. 618)

### Sec. 5-1.4. Power.

Whenever a power is granted to, or a duty is imposed upon the director of animal care and control or other public officer, the power may be exercised or the duty may be performed by a deputy of the officer or by a person authorized, pursuant to law, by the officer, unless the chapter expressly provides otherwise. (Ord. No. 618)

### Sec. 5-1.5. Punishment.

Any person violating any of the provisions of this chapter is guilty of a misdemeanor punishable by a fine of not exceeding five hundred dollars or by imprisonment in the county jail for a period not exceeding six months, or by both such fine and imprisonment. Each such person is guilty of a separate offense for every day during any portion of which any violation of any of the provisions of this chapter is committed. (Ord. No. 618)

### Sec. 5-1.6. Fees.

Whenever provision is made in this chapter for the payment of fees, such fees shall be those which the city council from time to time approves, by ordinance, or minute order. (Ord. No. 618)

## Article II. Definitions.

### Sec. 5-2. Definitions.

For the purpose of this chapter unless it is plainly evident from the context that a different meaning is intended, certain terms used herein are defined as follows. (Ord. No. 618)

#### Sec. 5-2.1. Impounded.

If any animal pursuant to this chapter or any state statute has been received into the custody of any animal shelter, such animal will have been "impounded" as that word is used in this chapter. (Ord. No. 618)

#### Sec. 5-2.2. Shall and may.

"Shall" is mandatory and "may" is permissive. (Ord. No. 618)

#### Sec. 5-2.3. Unlicensed dog.

Any dog for which the license for the current year has not been paid, or to which the tag for the current year provided in this chapter is not attached. (Ord. No. 618)

#### Sec. 5-2.4. Animal.

Includes any beast, poultry, bird, reptile, fish or any other dumb animal. (Ord. No. 618)

#### Sec. 5-2.5. At large.

An animal off the premises of its owner unless such animal be securely confined by a strong leash securely and continuously held by the owner of such animal, or confined within an automobile. (Ord. No. 618)

#### Sec. 5-2.6. Dog.

Any dog of any age, female as well as male. (Ord. No. 618)

#### Sec. 5-2.7. Dog kennel.

Any lot, building, structure or premises wherein four or more canine animals over the age of four months are kept or maintained for any purpose. (Ord. No. 618)

#### Sec. 5-2.8. Cat.

Any cat of any age, female as well as male. (Ord. No. 618)

Sec. 5-2.9. Cat kennel.

Any lot, building, structure or premises wherein four or more cats over the age of four months are kept or maintained for any purpose. (Ord. No. 618)

Sec. 5-2.10. Horse.

Shall include mule, burro, pony, jack, hinny or jenny. (Ord. No. 618)

Sec. 5-2.11. Owner.

Any person, firm or corporation having an interest in, or having control or custody or possession of any animal. (Ord. No. 618)

Sec. 5-2.12. Person.

Any firm, partnership, corporation, trust or association or person. (Ord. No. 618)

Sec. 5-2.13. Pet shop.

Any place of business where dogs, under four months of age, or cats, monkeys, birds, reptiles, fish, or any other animals to be used as pets, are kept for sale. (Ord. No. 618)

Sec. 5-2.14. Wild animal.

Any wild, exotic, dangerous or non-domestic animal, including but not limited to mammals, fowl, fish or reptiles. (Ord. No. 618)

Sec. 5-2.15. Director.

The director shall mean the director of the department of animal care and control. (Ord. No. 618)

Sec. 5-2.16. Animal menagerie.

A place where wild animals are kept or maintained for any commercial purpose, including places where wild animals are boarded, trained, or kept for hire. (Ord. No. 618)

Sec. 5-2.17. Animal shelter.

A place where all animals impounded by the department of animal care and control are placed for their humane care and keeping. (Ord. No. 618)

Sec. 5-2.18. Approved canine rabies vaccine.

A canine rabies vaccine which is approved for use by the State of California Department of Public Health. (Ord. No. 618)

Article III. Department of Animal Care and Control.

Sec. 5-3. The department of animal care and control.

The department of animal care and control under the administrative management of the director, and the office of the director, is hereby established. (Ord. No. 618)

Sec. 5-3.1. Police powers.

The director of animal care and control shall be vested with the necessary police powers and duties of a police officer for the exclusive purpose of enforcing the provisions of this chapter, and it shall be his duty to make arrests and issue citations for violations of any of the provisions of this chapter. The director of animal care and control shall enforce all of the laws of the city, county and state relating to the care, treatment and impounding of dumb animals and to the prevention of cruelty to dumb animals. (Ord. No. 618)

Sec. 5-3.2. Duties.

It is hereby made the duty of the director of animal care and control to enforce any other sections of this chapter whether enumerated as a duty or not. (Ord. No. 618)

Sec. 5-3.3. Interference with duty.

No person shall rescue or attempt to rescue any animal mentioned herein from the possession of the Chief, nor interfere with the Chief or any of his deputies in the performance of their duties. (Ord. Nos. 618, 822)

Sec. 5-3.4. Entering upon premises.

The director of animal care and control or his deputy animal control officers or any police officer is authorized to enter upon any premises upon which any animal is kept, for the purpose of taking up, seizing or impounding any animal found running at large, or staked, herded or grazing thereon, contrary to the provisions of this chapter for the purpose of ascertaining whether such animal is licensed as provided in this chapter; or determining whether any regulation or law of the state relating to the care, treatment or impounding of dumb animals or to the prevention or cruelty to dumb animals is being violated; provided there is probable cause to believe there is such violation. (Ord. No. 618)

Sec. 5-3.5. Cruelty status.

It shall be the duty of the director of animal care and control to enforce those sections of the Penal Code of the State of California pertaining to the inhumane treatment of dumb animals, and to take possession of animals so abandoned or neglected, and care for or dispose of same as provided for in the Penal Code of the State of California or this chapter. (Ord. No. 618)

Sec. 5-3.6. Spay and neuter clinic.

The director of animal care and control may establish a clinic, at which members of the public may have dogs and cats spayed or neutered in a humane manner upon payment of the fees established by the director.

A person submitting a dog or cat for the above service shall sign a consent form certifying thereon under penalty of perjury that he is the owner of said animals or setting forth facts showing that he is otherwise authorized to represent the animal for the above operation and such person may be required to furnish proof of such ownership or authority. Such consent shall contain a waiver of any and all liability of the city, the department of animal care and control and any employees thereof for any injury or death to an animal arising out of the aforementioned operation or any services provided incidental thereto.

The department of animal care and control shall establish a return date by which a person submitting an animal for the above operation shall pick up said animal or be subject to a reasonable board and care fee to commence the day after such return date. Failure to pick up an animal within fifteen days of said return date shall be deemed abandonment of such animal and the director may dispose of it by sale or destruction. (Ord. No. 618)

Article IV. Licenses, Dog.Sec. 5-4. Licenses and registration required.

No person owning, having an interest in, or having control, custody or possession of any dog shall fail, neglect or refuse to license and register such dog if over four months of age, in compliance with the terms of this chapter. (Ord. No. 618)

Sec. 5-4.1. Exhibition of license.

No person shall fail or refuse to exhibit the registration of any animal required to be licensed by this code when required to do so by the director or any police officer. (Ord. No. 618)

Sec. 5-4.2. Issuance of license tags and certificates.

A metallic tag and license certificate with corresponding numbers shall be furnished by the city official or one of his authorized agents, to any person required by this chapter to obtain a license upon payment of the appropriate fee prescribed in this chapter.

The city official shall keep a record of the name, address and telephone number of the owner of the dog or person making payment of said license fee, and to whom a certificate and tag is issued, and the number and date of such certificate. Such metal tag issued for the current license year shall be securely fastened to the collar or harness of the dog and shall be worn by such dog at all times other than those periods when confined to the owner's house, enclosed yard or pen. A duplicate of a lost license tag may be procured from the city official upon proof of loss and payment of the required fee. (Ord. No. 618)

Sec. 5-4.3. Time limit; license fee.

Any owner of a dog, four months of age or older in the city shall obtain an annual dog license and pay an original or renewal license fee as established by resolution.

License fees shall be due and payable within thirty days after any dog is acquired and comes into the care, custody and control of any person in said city. (Ord. No. 618)

Sec. 5-4.4 Penalty fees.

Any person who fails to pay the required dog license fee, as set forth in section 5-4.3, each year thereafter shall pay, in addition to the original license fee, a penalty of fifty percent of the original license fee.

Any person who fails to obtain an original license within thirty days after his owning any dog or any dog coming into his care, custody and control in this city shall pay, in addition to the original license fee, a penalty fee of fifty percent of the original license fee. (Ord. No. 618)

Sec. 5-4.5. License fee exemption.

No license fee shall be required for the following:

- (a) Seeing-eye dogs.
- (b) Dogs honorably discharged from the Armed Forces of the United States.
- (c) Dogs in the care, custody and control of nonresidents who are traveling through the city, or temporarily staying in the city for a period not exceeding thirty days or dogs temporarily brought into the city for the exclusive purpose of being entered in a bench show or dog exhibition, provided such dogs are so entered and not kept elsewhere in the city.
- (d) Dogs which are owned by any governmental agency. (Ord. No. 618)

Sec. 5-4.6. Tag must be shown.

No person shall fail or refuse to show to the director or any police officer, the license certificate and the tag for any duly registered dog kept or remaining within any home or upon any enclosed premises under his immediate control. (Ord. No. 618)

Sec. 5-4.7. Removal of registration tags.

No unauthorized person shall remove from any dog, any collar, harness, or other device to which is attached a registration tag for the current year or to remove such tag therefrom. (Ord. No. 618)

Sec. 5-4.8. Counterfeiting tags.

No person shall imitate or counterfeit the tags required by this chapter, or shall use any imitation or counterfeit of such tag. (Ord. No. 618)

Sec. 5-4.9. Transfer.

No dog license is transferable. (Ord. No. 618)

Sec. 5-4.10. Licensing requirement.

Every person applying for a dog license must exhibit a certificate issued by a person licensed by the State of California, or by any state or nation, to practice veterinary medicine, which certificate shall show that the dog for which the license shall be issued, either: (1) has been vaccinated in accordance with the provisions of section 5-5 and 5-5.1 hereof: or (2) should not be so vaccinated by reason of age, infirmity or other disability. Such exemption shall be valid for a period not to exceed one year. A license for any dog shall not be issued unless and until either such certificate is exhibited. Said certificate of vaccination must be valid throughout the entire licensing period. (Ord. No. 618)

Sec. 5-4.11. License fee a debt.

The amount of any license fees imposed by this chapter shall be deemed a debt to the city and any person keeping any animal without having obtained a license and registration certificate from the city shall be liable to an action in the name of the city in any court of competent jurisdiction for the amount of the license fees and penalties imposed and required by this chapter to be paid for the privilege of keeping such animal and it shall be the duty of the director to cause a complaint to be filed against any person violating any of the provisions of this chapter. Such action shall be cumulative and shall not be deemed a bar to, or a waiver of, the right of the city to prosecute any person for a violation of this part or any other applicable provision of this chapter. (Ord. No. 618)

#### Article V. Vaccination.

##### Sec. 5-5. Rabies vaccinations.

Every person keeping, harboring or having a dog over the age of four months in the city shall cause such dog to be vaccinated with a type of rabies vaccine approved by the Los Angeles County Health Officer within a period of thirty days from the date such dog was harbored, kept or had within the city, or within thirty days from the date said dog attains the age of four months, provided, however, that the aforesaid provision shall not apply so as to require the vaccination of any dog which has been vaccinated with an approved vaccine by a person licensed by the State of California, or by any other state or nation, to practice veterinary medicine where such vaccination has been completed within the period of time as hereinafter prescribed in this section.

If chick embryo vaccine was used in such vaccination, it must have been completed within thirty months or if the tissue-type vaccine was used, it must have been completed within one year prior to the date such dog was first kept, harbored or brought into the city. (Ord. No. 618)

##### Sec. 5-5.1. Rabies revaccination.

Every person keeping, harboring or having in the city a dog which has been vaccinated with chick embryo vaccine shall cause such dog to be vaccinated within a period of not more than two years, or which has been vaccinated with a tissue-type vaccine shall cause the dog to be vaccinated within a period of not more than one year. (Ord. No. 618)

##### Sec. 5-5.2. Rabies certificate.

Every person keeping, harboring or having in the city any dog required by this chapter to be vaccinated shall at all times while such dog is thus kept, harbored or had, have in his possession a certificate issued by a person licensed by the State of California, or any other state or nation, to practice veterinary medicine, which certificate shall specify that such dog has been vaccinated in accordance with the provisions of sections 5-5 and 5-5.1. (Ord. No. 618)

#### Article VI. Animals Running at Large.

##### Sec. 5-6. Running at large prohibited.

No person owning, having an interest in, harboring, or having charge, care, control, custody or possession of any dog shall cause or permit such dog to be off the premises of its owner, unless such dog is securely confined by a strong leash of not exceeding six feet, securely and continuously held by a competent person owning, having an interest in, harboring or having charge, care, control, custody or possession of such dog, or unless such dog be confined within an enclosed vehicle. The above section shall not apply to any dog being used for law enforcement purposes by any state, county, city or city and county law enforcement agency. (Ord. No. 618)

Sec. 5-6.1. Giving notice of captured animals.

Any person who captures an animal at large, as defined in section 5-6 , shall within twenty-four hours, give notice to the director. Such notice shall include the following:

- (a) The fact that he has such animal in his possession.
- (b) The complete description of such animal.
- (c) The license number of such animal, if any, and by what county or municipal corporation issued. If such animal has no license, such person shall so state.
- (d) The place where such animal is confined and shall thereafter surrender said animal to the director upon request. (Ord. No. 618)

Sec. 5-6.2. Running at large prohibited--Other animals.

No person owning or having control of any ox, steer, bull, cow , horse, colt, calf, sheep, goat, or any animal commonly referred to as a "wild specie" shall:

- (a) Permit such animal to run at large in the city.
- (b) Cause or permit any such animal to be pastured, herded, staked or tied in any street, lane, alley, park or other public area.
- (c) Tie, stake, pasture or permit the tying, staking or pasturing of any such animal upon any private property within the limits of the city, without the consent of the owner or occupant of such property, or in such a way as to permit any such animal to trespass upon any street or public place or upon any private property.
- (d) Permit any said animals to be or remain during the night time secured by a stake, or secured in any manner other than by enclosing such animal in a pen, corral or barn sufficient and adequate to restrain such animal, or by securely fastening such animal by means of a rope, or chain of sufficient size, strength and weight to effectively restrain such animal.
- (e) Fail to provide the necessary sustenance, drink, shelter or protection from the weather, or otherwise. (Ord. No. 618)

Sec. 5-6.3. Running at large prohibited--Fowl and rabbits.

It is hereby declared to be a nuisance and no person shall suffer or permit any rabbits and/or permitted birds and/or fowl, owned or controlled by him or it, to run or fly at large or to go upon the premises of any other person in the city. (Ord. No. 618)

Sec. 5-6.4. Running at large prohibited--Monkeys, miscellaneous animals.

No person owning or having control of any monkey, ape, chimpanzee, or other animal of the monkey type, shall permit, allow or suffer such animal to run at large within the city or permit, allow, or suffer such animal to be or go upon any street or public place within the city without having such animal securely fastened by an adequate chain or rope, firmly held or attached to a competent person.

Such animal shall be deemed and considered as running at large, within the meaning of the expression as herein used, when not confined within an enclosure or when not securely tied or chained. (Ord. No. 618)

Sec. 5-6.5. Running at large prohibited--Wild and vicious animals.

No person owning or having charge, custody, control or possession of any animal or reptile known by such person to be vicious or dangerous, or commonly so known, or owning or having charge, custody, control or possession of any elephant, bear, hippopotamus, rhinoceros, lion, tiger, leopard, wolf, monkey, ape, chimpanzee, bobcat, lynx, wildcat, puma, cheetah, or any animal commonly referred to as a "wild specie" or any poisonous reptile, shall permit or allow the same to be at large upon any highway, street, lane, alley, court, or other public place or upon private property other than within the enclosed premises of such person.

Any dog having a disposition or propensity to attack or bite any person or animal without provocation is hereby defined as a wild or vicious animal. The director shall notify the owner or harbinger in writing to keep such animal within a substantial enclosure or securely attached to a chain or any other type of control which is reasonably adequate under the circumstances. If such restraint is impossible or impracticable, such animal shall be impounded until the owner or harbinger is able to comply with the director's order. If, upon receiving said written notification, the owner or harbinger fails to provide adequate restraint or control of said animal as ordered by the director within a reasonable time, said animal shall be subject to summary destruction.

Where the official records of the director indicate a dog has bitten any person or animal on two or more separate occasions, it shall be prima facie evidence that said dog is a wild or vicious animal. (Ord. No. 618)

Article VII. Impounding.

Sec. 5-7. Animal shelter provided.

There shall be provided by the city or by the director upon such terms and conditions as shall be named in a contract executed by and between the director and the legislative body of the city, a suitable building or enclosure to keep and safely hold all animals herein enumerated which are subject to be impounded, which shall be known and designated as the "Animal Shelter." (Ord. No. 618)

Sec. 5-7.1. Impounding at animal shelter.

It shall be the duty of the director to take up, impound and safely keep any of the animals enumerated in this chapter found running at large, staked, tied or being herded or pastured in any street, lane, alley, court, square, park or other place belonging to or under the control of said city, or upon any private property in said city, contrary to the provisions of this chapter. (Ord. No. 618)

Sec. 5-7.2. Care of animals.

When any animal is to be impounded, it shall be provided with proper and sufficient food and water by the director for a period of at least five working days, or such longer period as may be provided hereinafter. (Ord. No. 618)

Sec. 5-7.3. Reclaiming of animals.

The owner of any animal impounded shall have the right to reclaim the same at any time prior to the sale thereof upon payment to the director of the costs and charges for impounding and keeping said animals. (Ord. No. 618)

Sec. 5-7.4. Destruction of impounded unfit animals.

It shall be the duty of the director to issue and sign a death warrant for and to order the destruction of any animal lawfully taken into custody, which in the opinion of the director is infected with a dangerous or communicable disease, or which is in an incurable crippled condition, or which is adjudged by a written report of a licensed veterinarian to be afflicted with any painful incurable disease. (Ord. No. 618)

Sec. 5-7.5. Impounding and quarantine.

It shall be the duty of the director to take up all dogs found in violation of section 5-6 hereof. When such dog is taken up, it shall be delivered to the director. (Ord. No. 618)

Sec. 5-7.6. Fee for recovery of dog or cat.

Subject to the other provisions of this chapter, any person may make application to the director for the return of any dog or cat, and upon presentation of proof satisfactory to the director that such person is the owner or is rightfully entitled to the possession of such dog or cat, may recover such dog or cat upon the payment of the required fee. (Ord. No. 618)

Sec. 5-7.7. Release requirement.

Prior to the release of any dog from the animal shelter to its owner, proof of rabies vaccination shall be required. If owner fails to show proof, the veterinarian on duty shall administer such vaccination for such fee as shall be established by the director. (Ord. No. 618)

Sec. 5-7.8. Minimum period of impounding dog.

All licensed dogs impounded at the animal shelter shall be provided with proper and sufficient food and water by the director for a period of at least ten calendar days after written notice is given to the owner, and all unlicensed dogs for a period of at least seven calendar days. Deposit of a letter of impoundment with the United States Postal Service shall constitute written notice. (Ord. No. 618)

Sec. 5-7.9. Minimum period of impounding cat.

All cats impounded at the animal shelter shall be provided with proper and sufficient food and water by the director for a period of at least ten days after written notice is given to the owner for cats displaying some type of identification. Cats without identification shall be held at least seven calendar days after which time these cats may be destroyed, except that cats determined by the director to be wild may be disposed of by the director upon impoundment. (Ord. No. 618)

Sec. 5-7.10. Sale of impounded dogs and cats; summary destruction.

Dogs and cats not redeemed may be sold by the director to the person offering to pay the highest cash amount thereof, provided that the purchaser shall not be given possession of any such dog or cat until he shall have paid to the director the charges prescribed for such dog or cat. If any dog or cat, impounded by the director shall not have been redeemed within such periods, and cannot be sold within a reasonable time thereafter, it may be summarily disposed of, for which the director is responsible, in some humane way as prescribed by the policy making board. The director shall file at the animal shelter a full description of each dog and cat impounded therein, for said period beginning on the day any such dog and cat is taken or delivered into the possession of the director. (Ord. No. 618)

Article VIII. Quarantine Requirements; Rabies Suspects.Sec. 5-8. Notification required regarding rabid dog.

It shall be unlawful for any person having knowledge of the whereabouts of an animal known to have or suspected of having rabies or has shown symptoms of rabies, to fail, refuse or neglect to immediately notify the director, or to fail, refuse or neglect to allow the director to make an inspection to the satisfaction of said official that such animal has or has not rabies. The director shall likewise be notified of any person bitten by an animal of a species subject to rabies, whether or not the animal is suspected of having rabies. (Ord. No. 618)

Sec. 5-8.1. Knowledge of bite; duty to report.

Whenever any person having charge, care, control, custody or possession of any dog has knowledge that such dog has bitten any person, the persons having charge, care, control, custody or possession of such dog shall report said fact in writing forthwith to the director. The report shall state the name and address of the person bitten and the time and place such person was bitten. (Ord. No. 618)

Sec. 5-8.2. Dogs and other animals to be quarantined for ten days.

Whenever it is shown that any dog or other animal has bitten any person, no owner or person having the custody or possession thereof, upon order of the director, any police officer, or the health officer, shall fail, refuse or neglect to quarantine such animal and keep it securely confined on a chain or in a closed cage or paddock for a period of ten days, or shall fail, refuse or neglect to allow the director to make an inspection or examination thereof at any time during said period. No such dog or animal shall be removed without written permission of the director, any police officer or the health officer or his deputies. (Ord. No. 618)

Sec. 5-8.3. Quarantine of dogs used by law enforcement agency.

Notwithstanding any other provision in this chapter, a dog used by any state, county, city or city and county law enforcement agency shall not be quarantined after biting any person if such bite occurred while the dog was being used for any law enforcement purpose. The law enforcement agency shall make the dog available for examination at any reasonable time. The law enforcement agency shall notify the local health officer if the dog exhibits any abnormal behavior. (Ord. No. 618)

Sec. 5-8.4. Quarantine of guide dog serving blind master.

Notwithstanding any other provision of this chapter, a guide dog serving a blind master shall not be quarantined, in the absence of evidence that he has been exposed to rabies, unless his master fails:

- (a) To keep him safely confined to the premises of the master.
- (b) To keep him available for examination at all reasonable times. (Ord. No. 618)

Sec. 5-8.5. Rabies; bites to animals.

Whenever it is suspected that any animal shall have been bitten by another animal having, or suspected of having rabies, all rules and regulations under section 5-8.2 shall apply where applicable substituting the word "animal" or "dog." (Ord. No. 618)

Article IX. General Regulations; Kennel or Sales.

Sec. 5-9. Spaying or altering required.

The animal shelter shall not sell or give away any female cat more than six months of age that has not been spayed, or any male cat of more than six months of age that has not been altered. The animal shelter shall not sell or give away any cat less than six months of age unless the cost of spaying or altering such cat has been deposited in trust with the director for payment to a veterinarian or spaying or altering clinic designated by the person purchasing or receiving the cat. The deposit shall be refunded to the owner upon proof of sterilization. (Ord. No. 618)

Sec. 5-9.1. Dog feces.

No owner or person having charge, custody or control of any dog shall permit, either willfully or through failure to exercise due care to control, any such dog to defecate and to allow such feces thereafter to remain on any public sidewalk, or park or any other public property, or on any improved private property other than that of the owner or person who has custody of control of such dog. (Ord. No. 618, 1016)

Sec. 5-9.2. Artificial treatment.

No person shall dye, color, or otherwise artificially treat any rabbit, baby chick, duckling or other fowl. (Ord. No. 618)

Sec. 5-9.3. Sale of young.

No person shall display, sell, offer for sale, barter to give away any rabbit, baby chick, duckling or other fowl which has been dyed, colored or otherwise artificially treated. (Ord. No. 618)

Sec. 5-9.4. Sanitary maintenance of animals.

Every person owning or occupying premises where any animal, fowl or bird is kept shall keep the stable, barn, stall, pen, coop, building or place in which said animal is kept in a clean and sanitary condition. (Ord. No. 618)

Sec. 5-9.5. Veterinarians notice of death of animals.

Every person owning or operating any veterinary hospital or other establishment for the treatment of animals, shall give written notice to the owner of any such animal, provided the name and address of the owner has been filed in the office of the veterinary hospital or other institution. (Ord. No. 618)

Sec. 5-9.6. Carcass of animal.

It is hereby declared to be a nuisance and no person shall cause, suffer or permit the carcass of any animal to remain upon any lot, premises or place owned, controlled or occupied by him or it for a period of more than twenty-four hours, or to bury the carcass of any animal upon any premises owned, controlled or occupied by him or it in the city. (Ord. No. 618)

Sec. 5-9.7. Animals in stores or conveyances.

No person shall bring any dog, cat or other live animal, or permit any dog, cat or other live animal to be brought into or remain in any room or place, other than a private home where food is not handled for commercial purposes, in which meat, fish, game, poultry, fruit, vegetables, bakery goods or any other food or food product is stored, kept, held, prepared, exposed or offered for sale, or sold for human consumption, or permit any dog, cat or other live animal to ride upon or get into or upon any wagon, or other vehicle in which any such articles offered or to be offered for sale for human consumption are being kept or transported, provided, however, that the provisions of this section shall not apply to a dog trained to guide the blind. (Ord. No. 618)

Sec. 5-9.8. Transporting animals in motor vehicles.

No person shall transport any animal on the running board of any motor vehicle or outside the passenger compartment, tonneau or body thereof, unless such animal is protected by a framework or other device which will prevent such animals from falling off, jumping or being thrown from such motor vehicle whether in motion or not. (Ord. No. 618)

Sec. 5-9.9. Keeping diseased animals prohibited; exception.

No person shall keep any animal which is known or believed by him to be infected with any dangerous or communicable disease, or which is afflicted with any painful disease believed by him to be incurable, without a permit to do so from the health officer of the city or other person(s) designated by the city. (Ord. No. 618)

Sec. 5-9.10. Noisy animals.

It is hereby declared to be a nuisance, and no person shall keep, maintain or permit upon any lot or parcel of land within the city under his control, any animal or animals including any fowl, which by any sound or cry, shall interfere with the comfortable enjoyment of life or property by an individual. (Ord. No. 618)

Sec. 5-9.11. Traps prohibited.

No person shall set or use any spring steel trap, No. 1 or larger, in the city (this section shall not prohibit the use of gopher traps). (Ord. No. 618)

Sec. 5-9.12. Slaughter of animals.

No person shall, within this city, willfully slaughter or cause to be slaughtered any cattle, calf, horse, mule, sheep, swine or goat or any other animal. This section does not apply to the slaughter of such animals within an educational institution, physician's office or laboratory for medical research or other scientific purposes, to the slaughter of such animals by a person licensed by the State of California to practice veterinary medicine or by any commercial establishment duly licensed by the city and the United States Department of Agriculture as a slaughterhouse. (Ord. No. 618)

Article X. Kennels.

Sec. 5-10. Breeding of dogs and dog kennels.

No person shall keep or maintain or suffer or permit to be kept or maintained upon any premises owned or controlled by him or it, any dog male or female, kept mainly for breeding purposes, except within properly zoned property and then only in an approved kennel. (Ord. No. 618)

Sec. 5-10.1. Breeding of cats and cat kennels.

No person shall keep or maintain or suffer or permit to be kept or maintained upon any premises owned or controlled by him, any cat, male or female, kept mainly for breeding purposes, except within properly zoned property and then only in an approved kennel. (Ord. No. 618)

Sec. 5-10.2. Cat and dog breeding permit.

Any person owning or having control, custody, charge or possession of any cat or dog for breeding purposes shall secure a cat or dog breeding permit from the director. Fee for said cat or dog breeding permit shall be established by the director. Any kitten or puppy sold from a litter for a profit over and above the cost of advertising, if any, shall be prima facie evidence of cat or dog breeding. (Ord. No. 618)

Sec. 5-10.3. Cat kennels.

In any portion of the city no person shall establish, keep or maintain, or suffer or permit to be established, kept or maintained, upon premises owned or controlled by him in the city, any cat kennel, except within properly zoned property and then only in an approved kennel. (Ord. No. 618)

Sec. 5-10.4. Breeding and parturition prohibited.

No one shall engage in the whelping, giving birth, or sale of puppies within a permitted kennel. (Ord. No. 793)

Sec. 5-10.5. Permit required; duration.

No one shall engage in the operation of a kennel without first obtaining a conditional use permit. The conditional use permit may be reviewed each year by the Community Development Department. (Ord. No. 793)

Sec. 5-10.6. Approval of application.

Application for all original licenses and permits hereunder or renewal thereof shall be referred to the Southeast Area Animal Control Authority (SEAACA), the Building Director and the County Health Department for approval and such investigation as they deem proper. The Community Development Department shall issue a conditional use permit to the applicant after such investigation if it is found that:

- (a) The keeping of animals, or the conduct or operation of the business for which the conditional use permit is requested, and at the place set forth in the application, will not violate any regulation or ordinance of this city, or any law of the State of California; and

- (b) The premises and establishment where animals are to be kept is maintained in a clean, sanitary and safe condition, and that animals will not be subject to suffering, cruelty or abuse; and
- (c) All interior and exterior kennels are maintained in a good state of repair; and
- (d) Crates and boxes, junked automobile bodies, scrap materials salvaged from ply boards, odd pieces of materials such as linoleum, tin, canvas and similar materials are not being used for kennel construction; and
- (e) The applicant has not had a conditional use permit issued under the article revoked within one (1) year prior to the application; and
- (f) The kennel is at least one hundred (100) feet from the nearest boundary of any church, school, rest home, hospital, medical center or food establishment. (Ord. No. 793)

Sec. 5-10.7. Denial of conditional use permit; revocation or suspension; procedure.

Any permit may be denied or any permit issued hereunder may be revoked or suspended if after due investigation it is found that:

- (a) The permittee, or his agent or employee involved in handling or caring for the animals has been convicted of any offense involving the violation of Section 597 of the State Penal Code or of any provision of this article and has not had the accusation dismissed pursuant to Section 1203.4 of the State Penal Code; or
- (b) The permittee, his agent, or employee has, at the place for which the permit was issued, failed to provide any animal in his possession, care or control, with proper and sufficient food, drink, shelter, or protection, or subjected any such animal to needless suffering, unnecessary cruelty, or abuse; or
- (c) The permittee, his agent, or employee, has failed to maintain the premises in a clean and sanitary condition; or
- (d) The permittee, his agent, or employee, has violated any rule or regulation. (Ord. No. 793)

Sec. 5-10.8. Construction and maintenance.

Housing facilities and runs for animals in kennels shall comply with the following requirements:

- (a) Exterior walls of buildings shall be stucco or concrete block.
- (b) Floors of buildings and runs shall be concrete.

- (c) Interior walls of buildings shall be waterproofed or constructed of a waterproof material.
- (d) Buildings shall be structurally sound and maintained so that they are substantially impervious to moisture and may be easily sanitized.
- (e) Interior surfaces of buildings shall be constructed and maintained in good repair.
- (f) Premises shall be so maintained as to protect the animals from injury, keep them from escaping and restrict the entrance of other animals. (Ord. No. 793)

Sec. 5-10.9. Additional requirements for dog kennels.

Housing facilities and runs for dogs in kennels shall comply with the following additional requirements:

- (a) Facilities shall be washed down daily.
- (b) Interior and exterior kennel floors accessible to dogs shall be adequately sloped so as to drain into a cement through, with trapped and vented drains that are connected to the public sewer or a private sewage disposal system, as approved by the Building Department, for the disposal of animal droppings, so that under no condition shall waste material drain onto public right-of-way, adjoining properties or other portions of the kennel premises.
- (c) There shall be sufficient runs to accommodate all dogs at the same time.
- (d) In addition to any other requirements of this Code, all new construction must have the prior approval of the County Health Department. (Ord. No. 793)

Sec. 5-10.10. Sleeping facilities for dogs.

Each individual indoor sleeping facility for dogs shall contain a minimum of fourteen (14) square feet (3'6" x 4') per standards, nine (9) square feet (3' x 3') per medium, and four (4) square feet (2' x 2') per small size dog. (Ord. No. 793)

Sec. 5-10.11. Heating.

Rooms and buildings for animals in kennels shall be sufficiently heated as may be necessary to protect the animals from cold and to provide for their health and comfort. The ambient temperature shall not be allowed to fall below sixty (60) degrees Fahrenheit for animals not acclimated to lower temperatures. (Ord. No. 793)

Sec. 5-10.12. Ventilation.

Rooms and buildings for animals in kennels shall be adequately ventilated to provide for the health and comfort of the animals. Fresh air shall be provided by means of windows, doors, vents, or air conditioning and the building shall be ventilated so as to minimize drafts, odors, and moisture condensation. Auxiliary ventilation, such as exhaust fans and vents or air conditioning, shall be provided when the ambient temperature is ninety (90) degrees Fahrenheit or higher. (Ord. No. 793)

Sec. 5-10.13. Lighting.

Rooms and buildings for animals in kennels shall be provided with ample light by natural or artificial means, or both, of good quality and well distributed. The lighting shall provide uniformly distributed illumination of sufficient light intensity to permit routine inspection and cleaning during the entire working period. (Ord. No. 793)

Sec. 5-10.14. Drainage.

Rooms and buildings for animals in kennels shall be provided with suitable means to rapidly eliminate excess water. If drains are used, they shall be properly constructed and kept in good repair to avoid foul odors therefrom. If closed drainage systems are used, they shall be equipped with traps and so installed as to prevent any backup of sewage onto the floor of the room. Under no condition shall animal droppings or other waste material be drained so as to be deposited on public right-of-way, adjoining properties or other portions of the kennel premises. (Ord. No. 793)

Sec. 5-10.15. Exterior boundaries of runs.

Exterior boundaries of kennel runs shall be enclosed by a fence constructed of solid masonry, solid wood treated with acid resistant paint, heavy duty galvanized sheeting, or any combination of these products, except that the upper half may be constructed of chain link fence. (Ord. No. 793)

Sec. 5-10.16. Outdoor runs for dogs.

Each individual outdoor run for a dog shall contain a minimum of twenty-four (24) square feet (4' x 6') per standard, twenty (20) square feet (4' x 5') per medium, and twelve (12) square feet (3' x 4') per small size dog. (Ord. No. 793)

Sec. 5-10.17. General requirements.

Primary enclosures in kennels shall be:

- (a) Structurally sound and maintained in good repair to protect the animals from injury, to contain them, and to keep predators out;
- (b) Constructed and maintained so as to enable the animals to remain dry and clean;
- (c) Constructed and maintained so that the animals have convenient access to clean food and water; and
- (d) Constructed so that the floors protect the animals' feet and legs from injury. (Ord. No. 793)

Sec. 5-10.18. Additional requirements for cats.

When used for cats, primary enclosures in a kennel shall be provided with:

- (a) A receptacle containing sufficient clean litter for excreta if the floor is solid; and
- (b) A solid resting surface or surfaces which, in the aggregate, shall be of adequate size to comfortably hold all occupants of the primary enclosure at the same time. In primary enclosures housing two or more cats, such resting surface or surfaces shall be elevated. (Ord. No. 793)

Sec. 5-10.19. Space requirements generally.

Primary enclosures in kennels shall be constructed and maintained so as to provide sufficient space to allow each animal to turn about freely and to easily stand, sit and lie in a comfortable, normal position. (Ord. No. 793)

Sec. 5-10.20. Space requirement for dogs.

Each dog housed in a primary enclosure in a kennel shall be provided a minimum square footage of floor space equal to the mathematical square of the length of the dog in inches, as measured from the tip of its nose to the base of its tail, plus six (6) inches, expressed in square feet. (Ord. No. 793)

Sec. 5-10.21. Crated dogs to be removed for exercise.

Crated dogs in kennels shall be removed from their crates at least twice a day for a minimum of thirty minutes each and placed in a kennel run which meets the minimum requirements for each animal occupying the run, except with respect to dogs being confined for veterinary care. During inclement weather, dogs need not be released into open runs. (Ord. No. 793)

Sec. 5-10.22. Space requirements for cats.

Each adult cat in a kennel housed in a primary enclosure shall be provided a minimum of three and one-half (3 1/2) square feet of floor space. (Ord. No. 793)

Sec. 5-10.23. Protection from excessive illumination.

Primary enclosures in kennels shall be so placed as to protect the animals from excessive illumination. (Ord. No. 793)

Sec. 5-10.24. Class and separation.

Animals housed in the same primary enclosure in a kennel shall be maintained in compatible groups, with the following additional restrictions:

- (a) Females in season (estrus) shall not be housed in the same primary enclosure with males.
- (b) Any dog or cat exhibiting a vicious disposition shall be housed individually in a primary enclosure.
- (c) Puppies or kittens shall not be housed in the same primary enclosure with adult dogs or cats other than their dams.
- (d) Dogs shall not be housed in the same primary enclosure with cats, nor shall dogs or cats be housed in the same primary enclosure with any other species of animals.
- (e) Dogs or cats under quarantine, displaying symptoms of or under treatment for a communicable disease, shall be separated from other dogs or cats and other susceptible species of animals in such a manner as to preclude dissemination of the disease.
- (f) Animals other than those from the same household, shall not be housed together. (Ord. No. 793)

Sec. 5-10.25. Sanitation.

- (a) Cleaning. Primary enclosures in kennels shall be washed down daily and excreta shall be removed as often as is necessary to prevent contamination of the animals kept therein and to reduce disease hazards and odors. When a hosing or flushing method is used to clean a cage, any animal contained therein shall be removed from the enclosure during the cleaning process, and adequate measures shall be taken to protect animals in other enclosures from being contaminated with the water and other wastes.
- (b) Sanitation. Primary enclosures in a kennel shall be sanitized at least once every two weeks and often enough to prevent an accumulation of debris, excreta, and disease hazards and to prevent or eliminate flies, rodents and odors. Cages, rooms and hard-surfaced pens or runs shall be sanitized by washing them with hot water one hundred and twenty (120) degrees Fahrenheit and soap or detergent in a mechanical cage washer, or by washing all surfaces with a detergent solution followed by a safe and suitable chemical disinfectant, or by cleaning all surfaces with live steam. Pens or exercise areas other than runs using gravel, sand, or dirt shall be sanitized by removing the soiled gravel, sand, or dirt and replacing it as necessary. (Ord. No. 793)

Sec. 5-10.26. Sunlight.

When sunlight is likely to cause overheating or discomfort to animals kept outdoors in a kennel, sufficient shade shall be provided to allow the animals to protect themselves from the direct rays of the sun. (Ord. No. 793)

Sec. 5-10.27. Rain, etc.

Animals kept outdoors in a kennel shall be provided with access to a shelter to allow them to remain dry during rain or other inclement weather. (Ord. No. 793)

Sec. 5-10.28. Cold.

Animals kept outdoors in a kennel shall be provided with access to a shelter to allow them to remain warm when the atmospheric temperature falls below sixty (60) degrees Fahrenheit. Sufficient clean bedding material or other means of protection from the cold shall be provided for dogs and cats when the ambient temperature falls below that temperature to which such animals are acclimated. (Ord. No. 793)

Sec. 5-10.29. Food.

Animals in kennels shall be fed at least once each day except as may otherwise be required to provide adequate veterinary care. The food shall not include carcasses of dead animals and shall be unspoiled, free from contamination, wholesome, palatable, and of sufficient quantity and nutritive value to meet the normal daily requirements for the condition and size of the animal being fed. (Ord. No. 793)

Sec. 5-10.30. Food preparation and receptacles.

Food preparation areas in a kennel shall be kept clean and free from flies and rodents, and food receptacles shall be accessible to each animal and shall be sanitized at least once every two weeks and located so as to minimize contamination by excreta. Feeding pans shall be durable and kept clean. Disposable food receptacles may be used but must be discarded after each feeding. Self-feeders may be used for the feeding of dry food, and they shall be sanitized regularly to prevent molding, deterioration, caking of feed and attraction of insects. (Ord. No. 793)

Sec. 5-10.31. Food storage; refrigeration.

Food supplies in kennels shall be kept covered and stored so as to be adequately protected against infestation or contamination by vermin. Refrigeration shall be provided for perishable food. (Ord. No. 793)

Sec. 5-10.32. Water.

An adequate supply of fresh water shall be accessible to animals in a kennel at all times, except as may otherwise be required to provide adequate veterinary care. Water receptacles shall be kept clean and shall be sanitized at least once every two weeks or upon the change of an animal. (Ord. No. 793)

Sec. 5-10.33. Daily observation.

Each animal in a kennel shall be observed daily by the animal caretaker in charge, or by someone under his direct supervision. Sick, diseased, or injured animals shall be provided with veterinary care or humanely disposed of unless the animal is being used for research and such action of inconsistent with the research purposed for which the animal was obtained and is being held. (Ord. No. 793)

Sec. 5-10.34. Program of care.

A program of disease control and prevention, euthanasia, and adequate veterinary care shall be established and maintained by all kennel owners under the supervision and assistance of a person licensed to practice veterinary medicine in the state. (Ord. No. 793)

Sec. 5-10.35. Cats to be confined.

Every person owning or operating a cat kennel shall keep the cats therein confined to the premises and not allow such cats to run at large. (Ord. No. 793)

Sec. 5-10.36. Housekeeping.

All buildings and grounds in a kennel shall be kept clean and free of accumulations of trash and maintained in a sanitary manner so as to prevent or eliminate flies, rodents and odors. (Ord. No. 793)

Sec. 5-10.37. Facilities for caretakers.

Every kennel shall provide facilities, such as washrooms, basins, or sinks, to maintain cleanliness among animal caretakers. (Ord. No. 793)

Sec. 5-10.38. Drainage of premises.

Suitable drainage shall be provided on the grounds of every kennel to rapidly eliminate excess water. (Ord. No. 793)

Sec. 5-10.39. Pest control.

An effective program for the control of insects, ectoparasites, and avian and mammalian pests shall be established and maintained at every kennel. (Ord. No. 793)

Sec. 5-10.40. Dead animals.

Dead animals shall be promptly removed from a kennel and record shall be maintained as to the number, type of animal, and apparent cause of death and disposed of in a legal manner, and at the permittee's expense. (Ord. No. 793)

Sec. 5-10.41. Waste disposal.

Provisions shall be made at every kennel for the removal and disposal of animals and food wastes, bedding and debris. Disposal facilities shall be provided and operated so as to minimized vermin infestation, odors, and disease. (Ord. No. 793)

Sec. 5-10.42. Records.

Every operator shall maintain records on each animal kept in the kennels. Such records shall be readily available for inspection by the Director of Animal Control and County Health Officer or their representatives and shall show: the name, current address and telephone number of the owner of the animal, the date the animal entered the kennel, the reason for its being in the kennel, i.e., boarding, breeding, grooming, etc., and the description of the animal (age, breed, sex, color, etc.). On any dog over four (4) months of age, the operator shall verify that there is a valid rabies certificate issued for such dog and shall record the certificate/tag number and the expiration date upon the dog's record, as long as the dog is maintained in the kennel. (Ord. No. 793)

Article XI. Cats.

Sec. 5-11. Optional identification license for cats.

In order to provide a method for identifying cats, a license may be obtained as prescribed in Article IV. This section shall not require the licensing of cats, but merely provide for their optional licensing. (Ord. No. 618)

Article XII. Wild or Vicious Animals.

Sec. 5-12. Keeping wild or vicious animals within or upon own premises.

No person owning or having charge, custody, control or possession of any animal, reptile or serpent described in section 5-6.5 hereof, shall allow such animal, reptile or serpent within the enclosed premises of such person unless and until he has first secured a permit to do so and complies with all terms and conditions of such permit and, in addition thereto, such animal, reptile or serpent shall at all times be so confined, controlled and restrained in such manner so the life, limb or property of any person lawfully entering such premises shall not be endangered. (Ord. No. 618)

Sec. 5-12.1. Permit for wild or vicious animal.

Except as hereinafter provided, no person shall have, keep, maintain or have in his possession or under his control within the city any animal or reptile described in section 5-6.5 hereof without first applying to and receiving a permit from the director to do so. (Ord. No. 618)

Sec. 5-12.2. Application for permit.

An application for any permit required pursuant to this chapter shall be made to the director in writing and upon a form furnished by the director if so required. Said application shall be verified by the person who desires to have, keep, maintain or have in his possession, or under his control, in the city, the animal or reptile for which a permit is required, and shall set forth the following:

- (a) Name, address and telephone number of the applicant.
- (b) The applicant's interest in such animal or reptile.
- (c) The proposed location and the name, address and telephone number of the owner of such location, and of the lessee, if any.
- (d) The number and general description of all animals or reptiles for which the permit is sought.
- (e) Any information known to the applicant concerning vicious or dangerous propensities of all such animals or reptiles.
- (f) The housing arrangements for all such animals or reptiles with particular details as to safety of structure, locks, fencing, etc.
- (g) Safety precautions to be taken.
- (h) Noises or odors anticipated in the keeping of such animals or reptiles.
- (i) Prior history of incidents involving the public health and safety involving any of said animals or reptiles.
- (j) Any additional information required by the director at the time of filing of such application or thereafter. (Ord. No. 618)

Sec. 5-12.3. Permit for fee.

The fee for a permit application for wild or dangerous animals shall be established by the director. Said fee shall be payable to the director at the time of filing the permit application. Accretions by natural birth shall not require additional permits during the period of a valid permit. Said fees are not refundable regardless of whether or not any permit is issued. (Ord. No. 618)

Sec. 5-12.4. Review of application for permit.

Copies of any application for permit under this article shall be sent by the director to the law enforcement agency, planning department, and to any other department or agency from which information is sought, and no permit shall be granted without receipt of a report from the departments or agencies to which copies of the application have been sent, unless waived by the city manager/administrator for good cause. (Ord. No. 618)

Sec. 5-12.5. Appeal of permit application denied.

Any person dissatisfied with the ruling of the director may, within ten days thereafter, appeal from said decision to the city council; such appeal shall be a simple statement in writing setting forth in common terms the basis of said appeal.

An appeal fee, as established by the director, shall be required for each appeal to the city council. No appeal shall be placed on the agenda of any meeting of the city council until such fee has been paid. (Ord. No. 618)

Sec. 5-12.6. Permit denied--Endangering the public.

No permit shall be granted except with the conditions attached as shall, in the opinion of the person or agency approving such permit, reasonably ensure the public health, safety and general welfare, and no permit shall be granted in any event for any animal, reptile or serpent at any particular location except upon an explicit finding by the person or agency approving such permit that the issuance thereof will not be contrary to the public health, safety and general welfare. (Ord. No. 618)

Sec. 5-12.7. Temporary permits.

The director may, following application for a permit and pending final disposition of the same, grant a temporary permit for the maintenance within the city of any such animal or reptile upon such conditions as he shall, in his sole discretion, require when, in his opinion, there is no reasonable doubt as to the consistency thereof with the public health, safety and general welfare, but no animal or reptile shall otherwise be kept or maintained within the city or permitted to occupy any premises within the city, except while such a regular or temporary permit is in full force and effect. (Ord. No. 618)

Sec. 5-12.8. Result of failure to obtain permit.

The director shall take possession of any animal or reptile described under section 5-6.5 for which a permit has not been issued, or if previously issued has been revoked, and keep the same until the proper permit has been secured by the owner thereof and shall release the same to the owner when all fees and costs have been paid and all laws and permit conditions complied with. (Ord. No. 618)

Sec. 5-12.9. Term and renewal of permits.

No permit required by this chapter shall be granted for a period in excess of one year. An application for renewal of any permit shall be made not less than forty-five days prior to the expiration thereof, and shall be accompanied by the same fee as required upon making the original application or the payment of a lesser fee when, in the opinion of the director the public health, safety and general welfare do not require further investigation prior to such renewal. (Ord. No. 618)

Sec. 5-12.10. Revocation of permits.

The director may, for good cause, revoke any permit or modify any terms or provisions thereof, except which permits which have been approved by the planning commission or city council, after informal public hearing, and may, in the event it is reasonably necessary to protect against an immediate threat or danger to the public health or safety, suspend any permit or portion thereof without hearing for a period not to exceed thirty days. (Ord. No. 618)

Sec. 5-12.11. Appeal of permit revocation.

Any person aggrieved by such action may, upon payment of an appeal fee have such action reviewed by the city council but the filing of an appeal shall not stay any order of suspension. (Ord. No. 618)

Sec. 5-12.12. Exemption for transportation of animals through city.

The permit requirements of this chapter shall not apply to any person so keeping or maintaining or having in his possession or control any animal or reptile defined in section 5-6.5 when such person is transporting such animal or reptile through the city, has taken adequate safeguards to protect the public, and has notified local law enforcement agency of the proposed route of transportation and time thereof. (Ord. No. 618)

Sec. 5-12.13. Exempt from permit requirement.

The provisions of this chapter shall not apply to animals which are kept confined in any public zoo, museum or circus, carnival, exhibition or show. (Ord. No. 618)

Article XIII. Beekeeping.

Sec. 5-13. Generally.

No person shall establish or maintain any hive or box where bees are kept, or keep any bees on any premises, dwelling, or property within City limits. (Ord. Nos. 618, 911)

Secs. 5-13.1 to 5-13.4.

Repealed by Ordinance No. 911.

Article XIV. Homing Pigeons.

Sec. 5-14. Defined.

The term "homing pigeon" shall mean a pigeon trained to return home from a distance. A homing pigeon can be identified by a seamless leg band issued by the American Racing Pigeon Union and marked with letters AU and the figures designating the year issued. (Ord. No. 618)

Sec. 5-14.1. Permit--Required.

No person shall keep or liberate within the city for exercise or racing any homing pigeons unless such person has first obtained a permit therefor from the city clerk. (Ord. No. 618)

Sec. 5-14.2. Same--Application; fee.

Each application for a permit to keep and liberate homing pigeons for exercise and racing shall be made upon a form prescribed by the city clerk and shall be accompanied by an application fee of five dollars. (Ord. No. 618)

Sec. 5-14.3. Same--Renewal.

Each permit issued pursuant to the provisions of this article shall be valid for the period of one year from and after the date of the issuance thereof. Each such permit may be renewed upon the filing date of an application therefor, accompanied by the prescribed application fee, for the additional period of one year. (Ord. No. 618)

Sec. 5-14.4. Same--Revocation.

Any permit issued pursuant to the provisions of this article may be revoked by the city council should the person holding such permit fail to comply with all of the provisions of section 5-14.5. (Ord. No. 618)

Sec. 5-14.5. Restrictions on keeping and liberating.

Each person who has a valid and existing permit under the provisions of this article shall conform to all of the following regulations:

- (a) No homing pigeon shall be kept or liberated for exercise or racing within twenty-five feet from any door, window or other opening of any dwelling.
- (b) No person shall keep or maintain more than one hundred homing pigeons.
- (c) All feed for homing pigeons shall be stored in containers which offer protection against rodents.
- (d) All homing pigeon droppings and food scraps shall be removed from the premises at least once a week.
- (e) The lofts or pigeon houses where homing pigeons are kept shall be soundly constructed, properly maintained and adequately landscaped to blend with and conform to the surrounding area, in accordance with such regulations thereof as the city shall from time to time prescribe.
- (f) The lofts or pigeon houses shall be maintained in a sanitary condition and in compliance with all health regulations of the city, as the same may be promulgated from time to time, and in accordance with the standards and regulations of the state racing pigeon organization.
- (g) All such lofts or pigeon houses shall be made available to inspection by authorized representatives and agents of the city at all times. (Ord. No. 618)

Sec. 5-14.6. Reserved for future legislation. (Ord. No. 618)

Article XV. Keeping Horses in Certain Residential Areas.

Sec. 5-15. Keeping horses in certain residential areas.

It shall be unlawful for any owner or occupant of premises within the city to keep, harbor, maintain or stable any horse or to permit the keeping, harboring or stabling of any horse where such premises are within a residential area of the city zoned as R-1, R-2, R-3, or R-4, when such harboring, maintaining or stabling constitutes a menace to health, safety or public peace and where thirty days prior thereto the city manager has served a notice or caused to be served a notice upon the owner or occupant ordering such occupant or owner to cease and desist from keeping, harboring, maintaining or stabling any horse at such premises. (Ord. No. 618)

Article XVI. Dogs in Public Parks.

Sec. 5-16. Dogs in public parks, playgrounds and recreation areas.

No person owning or having charge, care, custody or control of any dog shall cause, permit, or allow such dog to be in any publicly owned park, playground, or recreation area, whether or not such dog is restrained by a leash, unless such dog is participating in a regularly organized pet show, animal training class or other officially sponsored event approved by the recreation supervisory and then in progress. (Ord. No. 618)

Article XVII. Butchering of Certain Animals.

Sec. 5-17. Butchering of certain animals prohibited.

No person shall, within the city and within public view, willfully butcher or cause to be butchered any cattle, calf, horse, mule, sheep, swine, goat, dog, cat or other domesticated animal.

A violation of this section is an infraction and upon a conviction thereof shall be punishable by a fine of not more than two hundred fifty dollars. (Ord. No. 642)

Sec. 5-17.1 Butchering of any dog or cat.

No person shall, within the city, willfully butcher or cause to be butchered, or consume, any dog or cat. (Ord. No. 744)

(Ord. Nos. 322, 618, 642, 744, 793, 911, 1016)