

ORDINANCE NO. 4457

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF VENTURA, STATE OF CALIFORNIA, AMENDING CHAPTER 4 OF DIVISION 4, AND ARTICLE 6, CHAPTER 4 OF DIVISION 2, OF THE VENTURA COUNTY ORDINANCE CODE

The Board of Supervisors of the County of Ventura ("County"), State of California, ordains as follows:

SECTION 1: Chapter 4 of Division 4 of the Ventura County Ordinance Code is hereby amended to read as follows:

Chapter 4. Animals

Article 1. License Tag

4411 License tag requirements.

Every person who resides in the unincorporated areas of the County of Ventura and who owns, harbors, or keeps any dog over the age of four (4) months for thirty (30) days or longer shall obtain a current license and license tag issued under the provisions of this Code and stamped with the year in which such license was issued. The license tag obtained shall be attached to a substantial collar or harness which shall be worn by the dog at all times except as provided in Section 4411-1. Every person who violates any of the provisions of this section is guilty of an infraction. Any dog found without a current license tag or for which there is no current license may be taken up and impounded by the Poundmaster or any peace officer. (Am. Ord. 2717-9/11/73) (Am. Ord. 3187-4/20/76) (Am. Ord. 3244-12/21/76) (Am. Ord. 3390-8/15/78)

4411-1 Exemption from wearing of license.

The license tag need not be worn by the dog:

- (a) when the dog is within an enclosure sufficient to securely confine the dog to the premises of an animal hospital, or a licensed dog kennel, or of a state chartered benevolent organization for the care of animals, or of the person owning, harboring or controlling the dog; or
- (b) when the dog is participating in or training for sporting events, field trials, dog shows or herding livestock, provided such dog is not allowed to

run at large. (En. Ord. 3187-4/20/76) (Am. Ord. 4403-10/20/09)

4411-2 Exemption from wearing license.

A license tag need not be worn when the dog is used by the Sheriff's Department to perform official law enforcement duties. (Add. Ord. 3771-4/29/86) (Am. Ord. 4403-10/20/09)

4412 License application.

The license and license tag required by this Article may be obtained by displaying an acceptable rabies vaccination certificate, furnishing the information required herein, and paying the proper fee to the Division. Such information shall include the name, sex, breed, age and color of the dog for which the application is made, and give the address and telephone number of the person owning, harboring, or keeping such dog. The official receiving such information shall record it on the receipt to be given for payment of the license fee. A rabies vaccination certificate, to be acceptable, must show that the vaccination has at least one year to run before its expiration date. The expiration date of the rabies vaccination shall be recorded on the receipt. (Am. Ord. 2717-9/11/73) (Rep. & Reen. Ord. 3169-2/10/76) (Am. Ord. 3390-8/15/78) (Am. Ord. 4403-10/20/09)

4412-1 Additional information for license application for unaltered dog.

In addition to meeting one of the exemptions in Section 4421, the dog license application for a dog that is not spayed or neutered shall contain the information requested by the Division, including the identification number of the implanted animal's identification device, the name and address of the owner and the location at which the dog will be maintained. A dog that is not spayed or neutered that has a valid existing dog license from the Division shall not be subject to Sections 4421 through 4423 until the dog license expires.

4413 License period.

The license period for any license issued pursuant to this Article shall be the period of time specified on the license application pursuant to which such license is issued. The license period specified on any given license application shall be whatever period the Poundmaster may select for that particular license application; provided, however, that such period shall not extend beyond the expiration date of the applicable rabies vaccination. A license shall expire, and such license and corresponding license tag shall cease to be "current," upon the expiration of the applicable license period.

(Rep. & Reen. Ord. 3169-2/10/76) (Am. Ord. 3244-12/21/76) (Am. Ord. 3390-8/15/78) (Am. Ord. 4403-10/20/09)

4414 License fee.

The fee for the license required by this Article shall be as prescribed by resolution of the Board of Supervisors. The fee prescribed for a dog which has been spayed or neutered, as verified by a veterinarian's certificate, shall be not more than fifty percent (50%) of the fee for a dog of the same sex which has not been spayed or neutered. In addition, if a letter from a licensed veterinarian certifies that arrangements have been made to spay or neuter the dog within 60 days from the date that the dog reaches the age of four months, and the dog is spayed or neutered within that 60-day period, the owner shall qualify for the lower license fee for a dog that has been spayed or neutered.

(Am. Ord. 2404-11/10/70) (Rep. & Reen. Ord. 2472-9/8/71) (Am. Ord. 2717-9/11/73) (Rep. & Reen. Ord. 3169-2/10/76) (Am. Ord. 3244-12/21/76) (Am. Ord. 3390-8/15/78)

4414-1 Exemption from license fee.

A dog license shall be issued free of charge in the following instances:

- (a) When the license is for a dog which will be used as a guide dog for a blind person. An affidavit attesting to the fact that the dog will be used as a guide dog shall be given to the official issuing the license.
- (b) When the license is for a dog which has been honorably discharged from the armed services of the United States. Such discharge shall be established by showing the official issuing the license the discharge papers issued for such dog.
- (c) When the license is for a dog belonging to and actively used by a governmental agency for law enforcement, search and rescue or fire detection purposes. (En. Ord. 3187-4/20/76) (Am. Ord. 4403-10/20/09)

4415 Due date and penalties.

The information and fee required by this Article are due on the thirtieth (30th) day after the day on which:

- (a) the previous license, if any, expires;
 - (b) the dog is acquired by the person owning, harboring or keeping it;
 - (c) the dog is brought into the county; or
 - (d) the dog attains the age of four (4) months; whichever shall last occur.
- Any person purchasing a license after the due date shall pay, in addition to the license fee, a late license penalty in an amount equal to one

hundred percent (100%) of the license fee which would be applicable if the license period were one year, regardless of the actual license period for which such license is issued. Such penalty shall be in addition to any other penalty or sanction which may be imposed pursuant to this Code for failure to have a license. (Am. Ord. 2404-11/10/70) (Am. Ord. 2717-9/11/73) (Rep. & Reen. Ord. 3169-2/10/76) (Am. Ord. 3390-8/15/78)

4416 Issuance of license tag.

Upon receipt of the required information, accompanied by payment of the proper fee and display of an acceptable rabies vaccination certificate, the dog shall be licensed, a written receipt shall be issued to the applicant, and a metal license tag shall be mailed to the applicant's address. Each tag shall be serially numbered and stamped with the words "Ventura County" and shall be stamped with the year in which it is issued. The Division shall maintain a record of the licenses so issued, which record shall be kept on file in the office of the Division, open to reasonable public inspection, until the expiration of the license period for which such licenses are issued. (Am. Ord. 2306-11/18/69) (Am. Ord. 2717-9/11/73) (Am. Ord. 3244-12/21/76) (Am. Ord. 4403-10/20/09)

4417 Lost license tag.

If a license tag issued under the provisions of this Article is lost, a duplicate tag may be obtained from the Division upon paying a fee in the amount prescribed by resolution of the Board of Supervisors and by either surrendering the receipt obtained for the lost license tag or certifying under penalty of perjury that a tag was obtained and that the receipt cannot be found. (Am. Ord. 2306-11/18/69) (Am. Ord. 2717-9/11/73) (Am. Ord. 3390-8/15/78) (Am. Ord. 4403-10/20/09)

4418 Transfer of license.

In the event that there is a change in ownership of a dog licensed pursuant hereto during the license period for which such license is issued, the new owner may have the current license transferred to his or her name upon the payment of a transfer fee in the amount prescribed by resolution of the Board of Supervisors and the surrender of the license receipt. A license for a dog that is not spayed or neutered shall not be transferable and shall not be issued to any person under the age of eighteen years. (Am. Ord. 2717-9/11/73) (Am. Ord. 3244-12/21/76) (Am. Ord. 3390-8/15/78)

4419 License inspectors.

The Division may appoint animal license inspectors for the purpose of inspecting animals required to be licensed hereunder to ascertain if such animals are properly licensed, issuing the licenses required hereunder, and collecting the required license fees. Inspectors shall be compensated at the rate established by resolution of the Board of Supervisors for each license issued. Each inspector shall promptly account to the Division for all funds collected pursuant hereto and shall pay over such funds. (Am. Ord. 2306-11/18/69) (Rep. & Reen. Ord. 3169-2/12/76) (Am. Ord. 4403-10/20/09)

4420 License violations.

Every person who counterfeits a dog license tag, or who attaches a license tag issued under the provisions of this ordinance to any dog other than the one for which such tag was issued, or who obtains a dog license tag or dog kennel license and, in doing so, states as true any material matter which he or she knows to be false, is guilty of an infraction. (Am. Ord. 3187-4/20/76)

4421 Spay/neuter requirements.

4421-1 Intent.

The intent of the spay/neuter provisions of the ordinance is to create a culture and common practice of spaying and neutering dogs and cats. Education and voluntary compliance is the preferred method of achieving spaying and neutering, with enforcement measures as a last resort.

4421-2 Intent.

The intent of the ordinance is not to require spay/neuter to take place at 4 months, but to take advantage of the ability to provide 60-day notification at 4 months.

4421-3 Prohibition against unaltered dog or cat.

Every person who owns a dog or cat over the age of four months that is kept in the unincorporated areas of the County of Ventura is required to have such dog or cat spayed or neutered unless an exception applies under Section 4421-4. Nothing in this Section shall make veterinarians mandatory reporters of animals that have not been spayed or neutered.

4421-4 Prohibition against unaltered dog or cat; exceptions.

No person shall own a dog or cat over the age of four months that is kept in the unincorporated areas of the County of Ventura that has not been spayed or neutered, unless valid written documentation is provided to show proof that the animal is exempt from the requirement to be spayed or neutered by reason of one of the following:

(a) The dog or cat is a breed approved by and is registered with the American Kennel Club or a similar foreign registry recognized by the Division, as indicated on the Division website, whose program and practices are consistent with the humane treatment of animals, and the dog or cat is actively used to exhibit or compete and has competed in at least one legitimate exhibition or sporting competition hosted by, or under the approval of, the American Kennel Club or a similar foreign registry, within the last two years, or is being trained or groomed to exhibit or compete and is too young to have yet competed.

(b) The dog has earned, or if under three years old, is actively being trained and in the process of earning, an agility, carting, herding, protection, rally, hunting, working, or other title from a registry or association approved by the Division.

(c) The dog is being, or has been, appropriately trained and is actively used in a manner that meets the definition of a guide, signal or service dog as set forth in Penal Code section 365.5, subdivisions (d), (e) and (f), or the dog is enrolled in a guide dog program administered by a person licensed under Business and Professions Code section 7200 et seq.

(d) The dog is being, or has been, appropriately trained and is actively used by law enforcement agencies, the military, or search and rescue organizations, for law enforcement, military, or search and rescue activities.

(e) The owner of the dog or cat provides a letter to the Division from a licensed veterinarian certifying that the animal's health would be best served by spaying or neutering after a specified date; or that due to age, poor health, or illness of the animal, it is detrimental to the health of the animal to spay or neuter the animal; or that arrangements have been made to spay or neuter the dog or cat within 60 days after the compliance deadline and the dog or cat is spayed or neutered within that 60-day period. This letter shall include the veterinarian's license number and the date by which the animal may be safely spayed or neutered. The letter shall be updated periodically as necessary in the event the condition of the animal changes.

(f) The owner of the dog or cat is an American Kennel Club "Breeder of Merit."

(g) The dog or cat has a valid breeding permit issued to the owner by the Division.

4421-5 Compliance.

It shall be the owner's responsibility to comply with the spay/neuter provisions of this Article, including paying the applicable license fee.

4422 Implant.

A dog that has not been spayed or neutered shall be implanted with an animal identification device, at the owner's expense, identifying the owner of the animal.

4423 (Reserved).

4424 Notice of violation and penalties re spay/neuter requirements.

Any person owning a cat or dog in violation of Section 4421 shall be given a notice of violation. The notice of violation shall quote pertinent provisions of Section 4421 and provide information regarding low cost spay/neuter services offered in Ventura County. If the person fails to comply with Section 4421 within 60 days of receipt of the notice of violation, an Animal Control Officer, as defined in Section 4493-2, may issue an administrative citation assessing a civil penalty to that person in accordance with, and the person shall be subject to the administrative enforcement provisions set forth in, Article 8. The daily civil penalties for failure to comply with spay/neuter requirements shall be up to \$25 per day, or such other sum approved by resolution of the Board of Supervisors, and the daily civil penalties shall commence 61 days after the owner's receipt of the notice of violation. Every person who fails to comply with Section 4421 with 60 days receipt of such notice of violation shall also be guilty of an infraction.

4425 Breeding permit.

(a) No person shall cause or allow any dog or cat owned, harbored, or kept within the unincorporated areas of the County to breed without first obtaining a breeding permit, as described below. The term breeding permit means a written authorization, issued annually by the Director, giving the animal's lawful holder permission to breed a dog or cat.

(b) Each breeder's permit shall be valid for one year from the date of issuance and may be renewed annually before its expiration date. Each applicant for such a permit shall pay an annual fee of \$100.00, or the then established annual fee approved by the Board of Supervisors of the County of Ventura. A separate permit must be obtained for each dog or cat which is allowed to breed. No person is eligible for a breeding permit unless that person can present documentary evidence to the Division from a veterinarian that the parent dogs have received all recommended vaccinations and have had proper veterinary care.

(c) The Division shall administer an animal breeding permit program consistent with the following criteria:

(1) Under no circumstances shall a breeding permit be issued to a person who has been convicted of animal cruelty or neglect.

(2) The owner of the unaltered female dog or cat shall not allow the whelping of more than one litter in any household within the permit year, unless prior written permission has been obtained from the Director for good cause shown (including, but not limited to, where breeding is required to protect the health of the animal or where the permittee was forced to euthanize a litter of dogs or cats through no fault of the permittee).

(3) Issuance of a breeding permit shall be conditioned upon the animal owner's consent to such inspections, as may be required, by the Division to verify that a breeding permit is not used to whelp more than one litter in any household.

(4) No offspring may be sold, adopted, bartered, or otherwise transferred, whether for compensation or otherwise, until it has reached the age of at least eight weeks, and has been immunized against common diseases according to current veterinary practice in Ventura County; and the sale or adoption of the dog or cat shall include a statement signed by the seller or person providing the offspring for adoption attesting to the signatory's knowledge of the animal's health and the animal's immunization history.

(5) Any holder of a breeding permit in the unincorporated areas of the County who advertises to the public the availability of any dog or cat for sale, adoption, or transfer, whether for compensation or otherwise, must prominently display the permit number in any such advertisement. Further, the breeding permit holder must provide the permit number to any person who purchases, adopts or receives any animal from the permit

holder and include the permit number on any receipt of sale or transfer document.

(6) Any holder of a breeding permit in the unincorporated areas of the County who sells or otherwise transfers a dog, whether for compensation or otherwise, shall submit to the Division the name, address, and telephone number of the animal's new owner within five days from the sale or other transfer, on a form approved by the Division.

(7) Any holder of a breeding permit or commercial establishment in the unincorporated areas of the County which sells or otherwise transfers a dog, whether for compensation or otherwise, shall provide to the new animal owner County of Ventura applications for a license and permit.

(d) The following animals are exempt from breeding permit requirements:

- (1) Dogs documented as having been appropriately trained and actively used by law enforcement agencies, the military or search and rescue organizations for law enforcement, military or search and rescue activities.
- (2) Dogs documented as guide, signal, or service dogs pursuant to California Penal Code section 365.5, subdivisions (d), (e) and (f).
- (3) Dogs and cats certified by a licensed veterinarian as not being suitable subjects for spaying and neutering due to health reasons;
- (4) Dogs and cats under the care of governmental animal control agencies; animal rescue organizations which have demonstrated to the Division that they have implemented an ongoing spay/neuter plan, as well as an adoption plan; or humane societies or societies for the prevention of cruelty to animals, if such societies are incorporated under the provisions of the California Corporations Code and the Nonprofit Public Benefit Corporation Law.
- (5) Dogs documented as enrolled in a guide dog breeding program administered by a person licensed under Business and Professions Code section 7200 et seq.
- (6) Dogs and cats owned by any person who is able to present documentary evidence that the person is an American Kennel Club "Breeder of Merit."

4426 Notice of violation and penalties re breeding permit requirements.

Any person in violation of the breeding permit provisions of Section 4425, shall be given a notice of violation. The notice of violation shall quote pertinent provisions of Section 4425. The person may correct the violation(s) by providing conclusive proof to the Division that the dog(s) or

cat(s) have been spayed or neutered, or by obtaining the necessary permit(s) within 60 days from receipt of the notice of violation. If the person fails to correct the violation(s) within 60 days of receipt of a notice of violation, an Animal Control Officer, as defined in Section 4493-2, may issue an administrative citation assessing a civil penalty to that person in accordance with, and the person shall be subject to the administrative enforcement provisions set forth in, Article 8. The civil penalties for failure to comply with the breeding permit provisions of Section 4425 shall be up to \$500 per dog or cat, or such other sum approved by resolution of the Board of Supervisors. Every person who fails to comply with Section 4425 as set forth herein within 60 days of receipt of such notice of violation shall also be guilty of an infraction.

4427 Revocation of breeding permit.

The Division may revoke any breeding permit issued upon finding that the permit holder has violated its terms and conditions. Such a finding shall be made only after a noticed hearing conducted by the Poundmaster, or the Poundmaster's designee, acting as hearing officer, and in accordance with the provisions of Sections 4467-4 through 4467-7. If the hearing officer finds that a violation has occurred, the hearing officer will issue written findings and an order, revoking the applicable breeding permit(s). The permit holder shall have the right to petition in the Ventura County Superior Court for review of the hearing officer's decision as set forth in California Code of Civil Procedure sections 1094.5 and 1094.6. Such petition must be filed within ninety (90) days of the date notice of the decision is served upon the permit holder.

4428 Sale of commercially bred dogs, cats and rabbits in pet stores- prohibition.

(a) It shall be unlawful for any person to sell any dog, cat or rabbit in any pet store, retail business or other commercial establishment located in the unincorporated areas of the County, unless the dog, cat or rabbit was obtained from an animal shelter or a humane society located in the County of Ventura or a non-profit rescue and humane organization registered with the Division. For purposes of this section, a rescue and humane organization is defined as a California non-profit public benefit corporation exempt from taxation under Internal Revenue Code section 501(c)(3) that participates in the early spay/neuter of animals, complies with State and local laws regarding the humane treatment of animals, and whose mission and practice is, in whole or in significant part, the rescue and placement of dogs, cats and/or rabbits.

(b) Any person selling a dog, cat or rabbit in violation of Section 4428 shall be given a notice of violation which shall quote pertinent provisions of Section 4428. If the person fails to comply with Section 4428 by ceasing to sell animals in violation of Section 4428(a) within 60 days of receipt of the notice of violation, an Animal Control Officer, as defined in Section 4493-2, may issue an administrative citation assessing a civil penalty to that person in accordance with, and the person shall be subject to the administrative enforcement provisions set forth in, Article 8. The civil penalty for violation of Section 4428 shall be up to \$100.00 for the first violation, \$200.00 for the second violation, and \$500.00 for the third and following violations, or such other sums approved by resolution of the Board of Supervisors. Every person who violates Section 4428 is guilty of a misdemeanor.

(c) Section 4428 will become operative one year after its effective date.

Article 2. Animal Pound

4431 Poundmaster.

It shall be the duty of the Director to discharge the duties of Poundmaster and to enforce the provisions of this ordinance and the resolution of the Board of Supervisors adopted pursuant hereto. (Rep. & Reen. Ord. 2420-3/23/71) (Am. Ord. 4403-10/20/09)

4431-1 Definition.

As used in Division 4, Chapter 4 of this Code, the word "owner" shall also include any person who has legal right to custody of an animal.

4431-2 Poundmaster as health officer.

The Poundmaster, and any deputies he or she so designates, shall be vested with the powers and duties of a deputy health officer of the County and shall have the power and it shall be his or her duty to enforce all laws and regulations of the County and the state relating to the capture, isolation, quarantine or destruction of animals. (Est. Ord. 4403-10/20/09)

4432 Disposal of impounded animals other than livestock.

The Poundmaster shall feed and care for any animal impounded as provided in this Chapter until it is disposed of as provided by law. If such animal is not a "diseased or injured animal" as defined in this Chapter and is not being isolated pursuant to Article 4 of this Chapter, the person

owning such impounded animal may redeem it at any time after it is taken up by describing it, proving ownership to the satisfaction of the Poundmaster, paying all applicable fees and obtaining, when necessary, the dog license required by section 4411 of this Chapter. If an impounded dog bears a license tag issued under the provisions of this Chapter, notice of impoundment shall be mailed to the address shown on the copy of the receipt for such license tag on file in any county office. If any animal impounded as provided in this Chapter is not so redeemed, or if the owner of such animal is unknown to the Poundmaster, or fails, or refuses to comply with any of the requirements of redemption as provided herein, or if the owner has waived the redemption period in writing, such animal shall be deemed to be abandoned and the Poundmaster shall dispose of such animal according to the provisions of applicable State law. In disposing of an impounded animal, the Poundmaster may, in his or her discretion, destroy the animal in a humane manner or may adopt such animal to any qualified and approved person who will provide the animal a legal, safe, humane and loving home, or the Poundmaster may transfer such animal to a State chartered humane society. The price to be charged for any animal adopted as a pet or transferred to any State chartered humane society shall be as prescribed by resolution of the Board of Supervisors. (Am. Ord. 3390-8/15/78) (Am. Ord. 4403-10/20/09)

4432-1 Repealed by Ordinance 4403-10/20/09.

4432-2 Repealed by Ordinance 4403-10/20/09.

4433 Diseased or injured animals.

The Poundmaster shall, after impounding any animal, determine whether it is a "diseased or injured animal" as defined herein. A "diseased or injured animal" is any animal not suspected of rabies which is apparently either diseased, sick, injured, disabled, infirm or crippled. When a diseased or injured animal is impounded, the Poundmaster is authorized to procure any necessary emergency medical treatment for such animal and shall, without undue delay, exercise reasonable diligence in locating and notifying the owner of the location and condition of the animal. When reasonable effort fails to locate the owner or when an owner, after having been located, refuses to accept responsibility for further medical treatment of a diseased or injured animal, the Poundmaster may destroy such animal in a humane manner. When a licensed veterinarian advises that a diseased or injured animal is in severe pain and not likely to survive even though provided medical treatment, it may be destroyed in a humane manner by the Poundmaster, but the Poundmaster shall first exercise

reasonable diligence to notify the owner that the animal was injured and should be destroyed. If a diseased or injured animal is not destroyed pursuant to this Section, then the Poundmaster shall dispose of such animal as otherwise provided in this Code.

4434 Temporary animal pound.

The Poundmaster is authorized, whenever he or she deems it necessary, to temporarily impound animals within an enclosure other than the County Animal Shelter and such an enclosure shall constitute a temporary animal pound. Notice that an enclosure is an animal pound shall be given by placing a sign to that effect on the gate or other entrance thereto.

4435 Livestock running at large.

It is unlawful for any person owning, harboring, or controlling any livestock to permit such livestock to run at large upon the private property of another without the permission of the person owning or occupying said private property, or upon the streets or public places of the unincorporated areas of Ventura County. The Poundmaster is authorized whenever he or she deems it necessary to deputize individuals, who are properly equipped, to capture and transport livestock which is running at large in violation of this ordinance. Each animal captured or transported pursuant hereto shall be impounded at the risk of the owner, and the owner or keeper of such animal is liable for all fees set forth in Section 4437. Every person who violates any of the provisions of this Section is guilty of a misdemeanor/infraction. (Rep. & Reen. Ord. 2420-2/23/71) (Am. Ord. 3187-4/20/76) (Am. Ord. 4403-10/20/09)

4435-1 Keeping of stallions.

Upon approval of the County Veterinarian, a stallion may be kept, when authorized by Land Use Regulations, in a substantial corral of wood or other construction six feet in height and under conditions to prevent escape and protect people or other animals. A minimum substantial corral is defined as being constructed of 4" x 4" posts, 8' on center, anchored 24" in Portland cement with 2" x 6" rails set 2' apart. Every person who keeps a stallion without such approval or in a corral which does not meet such minimum standards is guilty of an infraction. (Add. Ord. 2420-3/23/71) (Am. Ord. 3187-4/20/76)

4436 Disposal of impounded livestock.

Upon the impounding of any livestock other than bovine animals, the Poundmaster shall notify the owner thereof, if the name of such owner is known to him or her, of such impounding. If the name of the owner is not known the Poundmaster, or the owner fails, or refuses to comply with any of the requirements of redemption or if the owner has waived the redemption period in writing, such animal shall be deemed to be abandoned and the Poundmaster shall dispose of such animal as he or she sees fit. Any impounded bovine animal not redeemed by the owner shall be delivered to the State Director of Food and Agriculture pursuant to Food and Agricultural Code section 17003. All impounded livestock, including bovine animals, may be redeemed by the owner thereof at any time prior to their sale, disposal or delivery to the Director by the Poundmaster upon (a) furnishing proof of ownership satisfactory to the Poundmaster, and (b) paying the fee set forth in section 4437. The County, its officers, its agents, and employees shall not be liable to any person for the delivery of any animal to any person claiming to be the owner thereof, or to be acting on the owner's behalf, and the sale of any animal by the Poundmaster in conformity with the provisions of this Code shall vest title thereof in the purchaser. (Am. Ord. 3390-8/15/78) (Am. Ord. 4403-10/20/09)

4437 Fees for redeeming livestock.

If any impounded livestock is redeemed, the Poundmaster shall collect all applicable fees before delivering the animal to the person redeeming it. Such fees shall be in such amounts as may be prescribed by resolution of the Board of Supervisors. (Am. Ord. 3390-8/15/78)

4438 Liability.

All animals specified in this ordinance which may be impounded shall be kept at the risk of the owner, and neither the County nor its officers, agents, or employees shall be liable to the owner for the delivery in good faith of any such animal to a person claiming to be, but not in fact being, entitled to reclaim the same. Neither the County, nor its officers, agents, or employees shall be liable for injury or disease to any animal incurred while said animal is being captured, transported, or impounded.

4439 Interfering with duties of poundmaster.

Every person who breaks open a dog pound, animal shelter, temporary pound, or pound vehicle, or who willfully resists, delays, or obstructs the Poundmaster in the discharge of, or attempt to discharge, any duty of his or her office, is guilty of a misdemeanor/infraction. (Am. Ord. 3187-

4/20/76) (Am. Ord. 4403-10/20/09)

Article 3. Dogs Used by Sheriff's Department

(Add. Ord. 3371--04/29/86)

4441 Use of dogs by sheriff.

Where a Deputy Sheriff has a right to enter or be present in or at any place, public or private, in the performance of official duties, any dog used by the Sheriff's Department in the performance of official duties and its handler shall have the right to enter or be present in or at any such place.

4442 Prohibited conduct.

It shall be unlawful for any person to willfully torture, tease, torment, beat, kick, strike, mutilate, injure, disable, or kill any dog used by the Sheriff's Department in the performance of its functions or duties or to interfere with or meddle with any such dog or its handler in the performance of any of the functions or duties of the Sheriff's Department.

4443 Exemptions.

The provisions of Sections 4466 and 6306-6 shall not apply to dogs used by the Sheriff's Department to perform official law enforcement duties.

Article 4. Rabies Control

4451 Rabies vaccination required.

Every person owning, harboring, or keeping a dog, shall within thirty (30) days after such dog obtains the age of four (4) months, cause it to be vaccinated by a licensed veterinarian with a vaccine of a type approved by the State Department of Health as being suitable for use. Every person who violates the provisions of this Section is guilty of a misdemeanor/infraction. (Am. Ord. 3187-4/20/76) (Am. Ord. 4403-10/20/09)

4452 Rabies vaccination certificate.

The Poundmaster shall provide facilities for the rabies vaccination of dogs or shall arrange for such vaccination at clinics operated by private veterinary groups or associations. The Poundmaster shall provide blank forms for the vaccination certificates required by this ordinance. Failure to

display a valid vaccination certificate upon reasonable demand by the Poundmaster is prima facie evidence of nonvaccination. No charge in excess of the actual cost therefor shall be made for vaccination at such facilities or clinics. The vaccination required hereunder may be obtained either at such facilities or clinics or from a licensed veterinarian of the owner's choice.

4453 Isolation of suspected animals.

The Poundmaster shall take up and place in isolation any animal, licensed or not, which, in the opinion of a licensed veterinarian or the County Health Officer, displays symptoms suggestive of rabies. Such isolation shall be at an animal pound unless the owner of such animal, with the approval of the County Health Officer, arranges with a licensed veterinarian for such isolation in a private animal hospital or clinic. Any animal placed in such isolation shall be kept strictly confined and under such observation as may be required by the County Health Officer. Except as otherwise provided in Section 4460, such isolation shall continue for at least ten (10) days from the date the symptoms suggestive of rabies are first observed. Such isolation may be continued for a period longer than ten (10) days if, in the opinion of any licensed veterinarian or the County Health Officer, such longer period is necessary. At the expiration of such ten (10) days, or longer period, any animal confined at an animal pound shall be released upon payment of the fee set forth in Section 4459 if, in the opinion of any licensed veterinarian or the County Health Officer, such animal does not have rabies. (Am. Ord. 3390-8/15/78)

4454 Responsibilities of veterinarians.

It shall be the duty of every licensed veterinarian to report immediately to the Poundmaster any animal observed or diagnosed by the veterinarian as having rabies, or which the veterinarian has reason to suspect has rabies, or which he has reason to believe has been exposed to a potentially rabid animal through intimate contact.

Every person who violates the provisions of this Section is guilty of an infraction. (Am. Ord. 3187-4/20/76) (Am. Ord. 4403-10/20/09)

4455 Reporting of bite cases.

It shall be the duty of every physician or other person who treats any person for a bite inflicted by any animal to report immediately to the County Health Officer or the Poundmaster the name and address of each person receiving such treatment, and, upon request of the County Health

Officer, to report to such officer such additional information relating to the bite or treatment as such officer may deem to be helpful in rabies control. Every person who violates the provisions of this Section is guilty of an infraction. (Am. Ord. 3187-4/20/76) (Am. Ord. 4403-10/20/09)

4456 Isolation of biting animals.

Except as otherwise provided herein, the Poundmaster shall take up, impound and isolate any animal, licensed or not, of a species subject to rabies which animal is reported to have bitten or otherwise exposed any person, whether or not such animal has been vaccinated with rabies vaccine and whether or not such animal displays any symptom suggestive of rabies. The animal shall be impounded and isolated in the manner provided in Section 4453 for the isolation of animals suspected of having rabies. Except as otherwise provided in Section 4460, such isolation shall continue for at least ten (10) days from the date of the bite if the animal is a dog or cat or the period of time stated per species under California State Law. Any person who is twenty-one (21) years of age or older may, however, make written request to the Poundmaster for the isolation of such biting animal either in facilities provided by a licensed veterinarian or in a licensed boarding kennel or upon the private premises of the person making such request. If such request is approved by the Poundmaster, such biting animal shall not be taken up and impounded but shall instead be kept strictly confined and isolated in such veterinarian's facilities or on such private premises for the isolation period. The Poundmaster shall post such private premises with conspicuous notice that an animal is being confined thereon to be observed for rabies. Upon termination of the isolation period, animals isolated in an animal pound shall be released upon payment of the fees set forth in Section 4459 if, in the opinion of any licensed veterinarian or the County Health Officer, the animal does not have rabies, and animals isolated upon private property shall be released from such isolation if, in the opinion of any licensed veterinarian or the County Health Officer, the animal does not have rabies. (Am. Ord. 3390-8/15/78) (Am. Ord. 4403-10/20/09)

4457 Isolation of animals contacting rabid animals.

Except as otherwise provided herein, the Poundmaster shall take up, impound, and isolate for the isolation period set forth in this section any animal, licensed or not, of a species subject to rabies which animal has been bitten by or has been in contact with another animal that is rabid or suspected of having rabies. The animal shall be impounded and isolated in the manner provided in Section 4453 for the isolation of animals suspected of having rabies. Except as otherwise provided in Section 4460,

such isolation shall be for a period of at least six (6) months, unless the animal is a dog or cat which has been vaccinated against rabies not less than thirty (30) days previously and such vaccination has not yet expired and such dog or cat is promptly revaccinated within forty-eight (48) hours of the exposure in which case the isolation shall be for a period of at least thirty (30) days. Upon termination of the isolation period, animals isolated in an animal pound shall be released upon payment of the fees set forth in Section 4459 if, in the opinion of any licensed veterinarian or the County Health Officer, the animal does not have rabies. (Rep. & Reen. Ord. 3390-8/15/78) (Am. Ord. 4403-10/20/09)

4458 Concealing information/violation of isolation requirements/failure to quarantine or produce animal.

(a) Any person who willfully conceals information about the location or ownership of an animal subject to rabies that has bitten or otherwise exposed a person to rabies, with the intent to prevent the quarantine or isolation of that animal by the local health officer, is guilty of a misdemeanor. Any person who willfully conceals information about the location or ownership of an animal subject to rabies that has bitten or otherwise exposed a person to rabies shall be given a notice of violation. The notice of violation shall quote pertinent provisions of Section 4458. If a person fails to comply with such a notice of violation within 24 hours of receipt of the notice of violation, an Animal Control Officer, as defined in Section 4493-2, may issue an administrative citation assessing a civil penalty to that person in accordance with, and the person shall be subject to the administrative enforcement provisions set forth in, Article 8. The civil penalty for failure to comply with such a notice of violation shall be up to \$100.00 for the first violation, \$200.00 for the second violation, and \$500.00 for the third and following violations, or such other sums approved by resolution by the Board of Supervisors

(b) Every person who, after requesting and obtaining approval for the keeping of a biting animal confined and isolated upon his private premises as provided in Section 4456 or Section 4457 of this Code, fails for any reason whatsoever to keep such animal continuously confined and isolated upon that person's premises, either indoors or inside some enclosure, for the entire applicable isolation period, is guilty of a misdemeanor/infraction. Any such animal, whether licensed or unlicensed, not continuously confined and isolated as required herein, shall be taken up forthwith by the Poundmaster and isolated at the pound for the duration of the isolation period, subject to the provisions of Section 4460. If a person fails for any reason whatsoever to keep such animal continuously confined and isolated upon that person's premises, the

person shall be given a notice of violation that quotes pertinent provisions of Article 4, and an Animal Control Officer, as defined in Section 4493-2, may issue an administrative citation assessing a civil penalty to that person in accordance with, and the person shall be subject to the administrative enforcement provisions set forth in, Article 8. The civil penalty for such a violation shall be up to \$100.00 for the first violation, \$200.00 for the second violation, and \$500.00 for the third and following violations, or such other sums approved by resolution by the Board of Supervisors. (Rep. & Reen. Ord. 3390-8/15/78)

(c) Any person who, after notice, violates any order of the local health officer concerning the isolation or quarantine of an animal of a species subject to rabies that has bitten or otherwise exposed a person to rabies or who, after that order, fails to produce the animal upon demand of the local health officer is guilty of a misdemeanor, punishable by imprisonment in the county jail for a period not to exceed one year, or by fine of not less than one hundred dollars (\$100), nor more than (\$1,000), per day of violation, or by both fine and imprisonment. The person shall be given a notice of violation that quotes pertinent provisions of Article 4. In addition, an Animal Control Officer, as defined in Section 4493-2, may issue an administrative citation assessing a civil penalty to that person in accordance with, and the person shall be subject to the administrative enforcement provisions set forth in, Article 8. The civil penalty for such a violation shall be up to \$100.00 for the first violation, \$200.00 for the second violation, and \$500.00 for the third and following violations, or such other sums approved by resolution by the Board of Supervisors.

4459 Redemption of isolated animals.

Any animal isolated at the animal pound as provided in Sections 4453, 4456 or 4457 of this Article and found not to have rabies may be redeemed at the end of the isolation period by the owner by paying to the Poundmaster all applicable fees and obtaining any necessary license. Any animal which is not so redeemed within seventy-two (72) hours after the expiration of the isolation period shall be deemed to have been abandoned and shall be disposed of as provided in Section 4432. (En. Ord. 3390-8/15/78) (Am. Ord. 4403-10/20/09)

4460 Isolation fees.

The Poundmaster shall collect from the owner of any animal isolated pursuant to this Article the applicable isolation fee prescribed by resolution of the Board of Supervisors. (En. Ord. 3390-08/15/78) (Am. Ord. 4403-10/20/09)

Article 5. Animal Control

4461 Leash law.

It is unlawful for any person to suffer or permit any dog owned, harbored, or controlled by him or her to be on any public street, alley, lane, park or place of whatever nature open to and used by the public in the unincorporated areas of the County unless such dog is securely leashed and the leash is held continuously in the hands of a responsible person capable of controlling such dog. It is unlawful for any person to suffer or permit any dog owned, harbored, or controlled by him or her to be on any private property in the unincorporated areas of the County without the permission of the person owning or occupying said private property. Every person who violates any of the provisions of this Section is guilty of an infraction. (Am. Ord. 3187-4/20/76) (Am. Ord. 4403-10/20/09)

4462 Animals at large.

(a) It shall be unlawful for any person owning or having possession of any animal to permit it to be at large without reasonable control or to be pastured or kept upon any street or other public place or upon any private property against the wishes of the owner or occupant thereof or in any manner or place to the injury of the owner or occupant of any other property. Every person who violates any of the provisions of this Section is guilty of a misdemeanor/infraction. (Am. Ord. 3187-4/20/76) (Am. Ord. 4403-10/20/09)

4462-1 Permitting animals to go without care.

Every owner, driver or keeper of any animal who permits the animal to be in any building, enclosure, lane, street or lot without proper care and attention within the meaning of Penal Code section 597.1 is guilty of a misdemeanor/infraction. Any person in violation of Section 4462-1 shall be given a notice of violation. The notice of violation shall quote pertinent provisions of Section 4462-1. If the person receiving the notice of violation fails to comply with Section 4462-1 within 24 hours of receipt of the notice of violation (or such other specific time as specified by the Division), an Animal Control Officer, as defined in Section 4493-2, may issue an administrative citation assessing a civil penalty to that person in accordance with, and the person shall be subject to the administrative enforcement provisions set forth in, Article 8. The civil penalty for violation of Section 4462-1 shall be up to \$100.00 for the first violation, \$200.00 for the second violation, and \$500.00 for the third and following violations, or

such other sums approved by resolution of the Board of Supervisors.

4463 Impounding animals.

Any animal found under conditions or in areas prohibited by Sections 4461 or 4462 of this Code shall be taken by the Division and impounded. No fowl at large upon private property shall be impounded except upon complaint of the owner, occupant, or person in charge of said property who claims to be injured thereby. (Rep. & Reen. Ord. 2420-3/23/71) (Am. Ord. 4403-10/20/09)

4464 Notice of impoundment.

The Division shall immediately personally notify the owner or person entitled to possession of such animal or fowl of the impounding thereof, if known. Any unredeemed animal or fowl may be disposed of, as provided for in this Code. (Rep. & Reen. Ord. 2420-3/23/71) (Am. Ord. 4403-10/20/09)

4465 Privileged entry.

For the purpose of discharging the duties imposed by this Chapter or other applicable law and to enforce the same, the Poundmaster or any peace officer may enter on private property, except dwellings located thereon, as follows:

(a) During daylight:

- (1) When in pursuit of any animal which he or she has reasonable or probable cause to believe is subject to impoundment pursuant hereto or other applicable law;
- (2) To impound or place in isolation any animal thereon which he or she has any cause whatsoever to believe or suspect has rabies or is a biting animal;
- (3) To inspect or examine animals isolated thereon pursuant hereto or other applicable law;
- (4) To impound an animal pursuant to Section 4467-3; or
- (5) To seize an animal pursuant to Section 4467-10.

(b) At night:

- (1) When in pursuit of any animal which he or she has reasonable or probable cause to believe is subject to impoundment pursuant hereto or other applicable law;
- (2) To impound or place in isolation any animal thereon which he or she has any cause whatsoever to believe or suspect has rabies or is a biting animal; or
- (3) To impound an animal pursuant to Section 4467-3. As a condition of

the authority set forth in this Section, except where time does not permit in an emergency or when in fresh pursuit, before entering upon private property a reasonable effort shall be made to locate the owner or possessor thereof to request permission to enter upon such property and to explain the purpose for such entry. (Add. Ord. 3731-12/14/84) (Am. Ord. 4403-10/20/09)

4466 Animals on public beaches, sidewalks, parks, school grounds or county property.

Every person who violates any of the provisions of this Section is guilty of an infraction.

- (a) No person shall bring onto or allow to remain on any public beach adjacent to the Pacific Ocean or any bay or inlet thereof any animal, except properly identified Assistance dogs; provided, however, that the prohibition of this subdivision (a) shall not apply to any beach or portion thereof which the Ventura County Board of Supervisors may from time to time declare, by resolution, to be exempt from such prohibition.
- (b) Any person having custody or control of an animal (except a guide dog used by the blind) when such animal defecates upon any public beach, sidewalk, park or school ground or upon any property owned or controlled by the County shall promptly pick up and remove the feces from the public beach, sidewalk, park, school ground or County property.
- (c) Any person who has custody or control of an animal (except a guide dog used by the blind) in a location other than in a vehicle or on the property of such person or on the property of the owner of the animal, shall at all times have in his or her immediate possession a wrapper, bag or container (other than articles of personal clothing) suitable for the purpose of picking up and removing the feces of such animal. (Add. Ord. 2420-3/23/71; Rep. & Reen. Ord. 2823-3/26/74; Rep. Ord. 3187-4/20/76; Add. Ord. 3293-4/12/77; Am. Ord. 3944-7/10/90) (Am. Ord. 4403-10/20/09)

4467 Animal nuisances.

Any animal, except an animal kept or controlled by a governmental agency, which has committed anyone or more of any of the following acts is a public nuisance:

- (a) An unprovoked infliction of physical injury upon any person where such person is conducting himself or herself lawfully.
- (b) Unprovoked threatening behavior toward any person where such person is conducting himself or herself lawfully which occurs in such circumstances as to cause such person reasonably to fear for his or her physical safety.

(c) The utterance of barks, cries or vocalizations which are so loud, so frequent and continued over so long a period of time as to deprive persons residing in two or more residences in the neighborhood of the comfortable enjoyment of their homes.

(d) An unprovoked infliction of physical injury upon any other animal which occurs off the property of the owner or keeper of the animal inflicting the injury.

(e) The damaging of the real or personal property of some person other than the owner or keeper of the animal which occurs off the property of the owner or keeper of the animal.

(f) The dumping of trash cans or the spreading of trash which occurs off the property of the owner or keeper of the animal.

(g) The chasing of pedestrians, vehicles or ridden horses which occurs off the property of the owner or keeper of the chasing animal. Such public nuisance may be abated in accordance with the procedures set forth in Sections 4467-1 through 4467-10. Such procedures are in addition to any other remedies which may be available under the law. (Am. Ord. 3713-12/4/84) (Am. Ord. 4403-10/20/09)

4467-1 Complaint.

Any person aggrieved by such public nuisance may file a complaint with the Poundmaster. Such a complaint shall be in writing, shall be signed by and bear the address of the complainant, shall state the place or places where such nuisance exists, shall describe the animal and the conduct which renders it a nuisance, and shall give the name and address of the animal's owner or keeper if known to the complainant. (Add. Ord. 3713-12/4/84)

4467-2 Notice.

Upon receipt of a complaint which alleges a public nuisance, or as soon thereafter as the Poundmaster may learn the name and address of the owner or keeper of the animal, the Poundmaster shall serve notice of a hearing upon the owner or keeper and upon the complainant. The notice shall be in writing and may be served either by personal delivery of a copy or by depositing a copy in the United States mail, postage prepaid, addressed to the person to be served. The notice shall do the following:

(a) Include a copy of the complaint;

(b) State that a hearing will be held to determine whether the animal described in the complaint is a nuisance within the meaning of Section 4467 and, if so, that the nuisance may be abated as provided in Sections 4467 through 4467-10;

(c) State a time, which shall be not less than fifteen (15) calendar days

after the date of the notice, and the place of the hearing; and
(d) Include a copy of Section 4467 through 4467-10. (Add. Ord. 3713-12/4/84) (Am. Ord. 4403-10/20/09)

4467-3 Impoundment pending hearing.

If it appears to the Poundmaster from the complaint or other information available to him or her that the animal is being kept or maintained in a manner which poses an imminent threat to the safety of persons or property, the Poundmaster may impound the animal immediately and may hold the animal until findings are issued pursuant to Section 4467-9, at which time the animal shall be disposed of as provided in Article 2 of this Chapter; provided, however, that if the finding is that the animal is not a nuisance, the owner or keeper may redeem the animal without payment of the impound fees; and provided, further, that if the order is that the animal be destroyed the Poundmaster shall hold the animal for an additional 72 hours and then shall destroy it in a humane manner. (Add. Ord. 3713-12/4/84) (Am. Ord. 4403-10/20/09)

4467-4 Hearing.

The hearing shall be public and shall be held before the Poundmaster or his or her authorized designee at the time and place noticed or at such other time or place as may be mutually agreed to by the Poundmaster or his or her designee, the complainant, and the owner or keeper of the animal. Notwithstanding the foregoing, the Poundmaster or his or her designee may continue the hearing to such time and place as may be reasonably necessary for the convenience of witnesses or other parties. Failure of the owner or keeper of the animal to appear at the hearing or any continuance thereof shall constitute a default. (Add. Ord. 3713-12/4/84) (Am. Ord. 4403-10/20/09)

4467-5 Oaths.

The Poundmaster or his or her designee shall have the power to administer oaths or affirmations when necessary in conjunction with the hearing. (Add. Ord. 3713-12/4/84) (Am. Ord. 4403-10/20/09)

4467-6 Evidence.

Oral evidence need not be taken under oath or affirmation unless either the owner or keeper of the animal or the complainant so requests and it appears that the witness has a motive for being untruthful. Testimony may

be given in an informal narrative style. Complainant, the owner or keeper of the animal, and the Poundmaster or his or her designee shall have the right to call and examine witnesses, to introduce exhibits, to cross-examine witnesses on any matter relevant to the issues even though such matter was not covered on direct examination, and to impeach any witness regardless of which party first called the witness to testify. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence or objection in a civil action. Hearsay evidence shall be admissible for any purpose but shall not be sufficient itself to support a finding unless it would be admissible over objection in a civil action. (Add. Ord. 3713-12/4/84) (Am. Ord. 4403-10/20/09)

4467-7 Subpoena power.

Before the hearing has commenced, the Poundmaster or his or her designee shall, at the request of the complainant or the owner or keeper of the animal, issue subpoenas and subpoenas duces tecum for attendance or production of documents at the hearing. Compliance with the provisions of Section 1985 of the Code of Civil Procedure shall be a condition precedent to the issuance of a subpoena duces tecum. After the hearing has commenced, the Poundmaster or his or her designee may issue such subpoenas and subpoenas duces tecum as he or she deems proper. Any person duly subpoenaed to appear and testify or to produce any books and papers before the Poundmaster who wrongfully neglects or refuses to appear or testify or to produce such books and papers is guilty of a misdemeanor. (Add. Ord. 3713-12/4/84) (Am. Ord. 4403-10/20/09)

4467-8 Record.

The Poundmaster or his or her designee shall record the hearing on a recording device and shall make such recording available to the complainant and to the owner or keeper of the animal upon request. The Poundmaster or his or her designee shall provide a copy of the recording or a transcript prepared therefrom to any party who requests it and pays the cost of making such copy or preparing such transcript. (Add. Ord. 3713-12/4/84) (Am. Ord. 4403-10/20/09)

4467-9 Findings and order.

At the conclusion of the hearing, or within a reasonable time thereafter,

the Poundmaster or his or her designee shall make a written finding that the animal either is or is not a public nuisance as defined in Section 4467. Such finding shall be supported by the weight of the evidence presented at the hearing; provided that,

(a) If no evidence is presented, the finding shall be that the animal is not a public nuisance, unless

(b) The owner or keeper of the animal has defaulted by failing to appear, in which case the finding shall be that the animal is a public nuisance. If the finding is that the animal is a public nuisance, the Poundmaster shall determine what actions, up to and including humane destruction of the animal, are reasonably necessary in order to abate the nuisance and shall make the findings and order that the owner or keeper of the animal take all such actions within such time limits as the order may prescribe. The findings and order shall be final when issued and shall be served promptly on the owner or keeper of the animal either by personal delivery of a copy or by depositing a copy in the United States mail, postage prepaid, addressed to the owner or keeper. (Add. Ord. 3713-12/4/84) (Am. Ord. 4403-10/20/09)

4467-10 Failure to comply with order.

Failure of the owner or keeper of the animal to take any action required of him or her by the order of the Poundmaster within the applicable time limit specified in the order is a misdemeanor/infraction; provided, however, that humane destruction of the animal within such time limit shall be deemed compliance with the order regardless of the abatement action specified in the order. Each day or portion thereof that such noncompliance continues after such time limit is a separate offense. The Poundmaster may seize and summarily destroy any animal being kept or maintained in violation of such order of the Poundmaster. (Add. Ord. 3713-12/4/84)

4467-11 Appeal from order.

The owner or keeper of the animal shall have the right to file a petition in the Ventura County Superior Court for review of the hearing officer's decision as set forth in California Code of Civil Procedure sections 1094.5 and 1094.6. Such petition must be filed within ninety (90) days of the date notice of the decision is served on the owner or keeper.

4467-12 Provisional rescission of part or all of order pertaining to barking dog nuisance upon demonstrated and sustained improvement in barking dog

If no less than two years have passed since the hearing officer's decision

and order finding a barking dog to be an animal nuisance, and the dog owner has complied with all the provisions of the hearing officer's decision and order, and the Division has received no subsequent complaints from residents in the dog owner's neighborhood regarding the dog barking, the animal owner may submit a written request for the Division to conduct an administrative review regarding whether there is good cause to provisionally rescind that portion of the hearing officer's decision and order requiring the dog to be licensed as an animal nuisance for the remainder of the dog's life, or any other portion of the hearing officer decision and order, as may be warranted. If, in response to an owner's request, the Division determines after administrative review that there is good cause to provisionally rescind one or more requirements set forth in the hearing officer's decision and order, it will so notify the owner. If the Division thereafter receives two or more complaints from residents in the dog owner's neighborhood regarding the dog barking, the Division may, at its sole discretion and without holding an additional hearing, reverse its provisional rescission of any requirement set forth in the hearing officer's original decision and order.

4468 Repealed by Ordinance 4403-10/20/09

4468-1 Rescue of domestic animals; period in which animal deemed abandoned.

Any person who finds and saves a domestic animal from harm, neglect, drowning or starvation shall, within a reasonable time, inform the owner, if known, or use reasonable efforts to locate the owner, if not known. In addition, if the person who finds and/or saves such a domestic animal is not able to locate the owner, that person must promptly file a report regarding the found animal with the Division. If, using reasonable efforts, the person is not able to locate the animal's owner, the animal shall be deemed to have been abandoned after a period of 30 days from the date that the found report was received by the Division. Any person who takes possession of a domestic animal shall provide for the humane treatment of such animal.

4469 Inspection of animals.

Any person who has an animal in his or her possession, custody, or control that willfully or maliciously fails or refuses to exhibit such animal or any license therefor for inspection upon demand by the Poundmaster or any peace officer is guilty of a misdemeanor/infracton. (Am. Ord. 3187-4/20/76) 4470 – Repealed by Ordinance 4403-10/20/09)

Article 6. General

4471 Records.

It shall be the duty of the Tax Collector or Poundmaster to keep or cause to be kept, accurate and detailed records of:

- (a) All dogs or livestock licensed, impounded, or sold;
- (b) All animal bite cases reported and the results of the investigations thereof;
- (c) All moneys received. Said records shall be open to inspection by the public at all reasonable times.

4472 Definitions.

For the purposes of this Chapter, unless the context otherwise requires:

- (a) The term "Division" means the Animal Services Division of the Ventura County Department of Public Health.
- (b) The term "animal pound" means any dog pound, animal shelter, temporary animal pound or pound vehicle owned or operated by the County of Ventura.
- (c) The term "Tax Collector" means the Ventura County Tax Collector and any duly appointed deputy thereof.
- (d) The term "County Health Officer" means the Ventura County Health Officer and any duly appointed deputy thereof including the Poundmaster and his or her deputies.
- (e) A dog "runs at large" when it is upon private property without the permission of the person owning or occupying the property, or when it is upon public property and is not upon a leash.
- (f) A person "harbors" a dog when he or she feeds or shelters the dog for a period of thirty (30) days or longer.
- (g) A person is the "owner" of an animal when he or she has either legal title to the animal or has the legal right to custody of the animal.
- (h) The term "livestock" includes horses, ponies, mules, burros, jacks and jennies, cows, bulls, calves, heifers, sheep, goats, swine, hogs, pigs, and all other domestic or domesticated animals other than household pets.
- (i) Livestock "runs at large" when upon livestock property without the permission of the person owning or occupying the property, or when upon public property and not under the immediate control of a responsible person capable of controlling such animal.
- (j) The term "Director" means the Director of the Division. (Am. Ord. 3182-4/13/76) (Am. Ord. 4403-10/20/09)

4473-1 Repealed by Ordinance 3187-4/20/76

4473-2 Repealed by Ordinance 3187-4/20/76

4474 Defense in prosecutions.

In any prosecution for a violation of any provision of this ordinance, the burden of producing evidence to establish any of the exemptions provided herein shall, in the first instance, be upon the defendant.

4475 Enforcement provisions.

In addition to such other authority as may be provided by law, the Poundmaster and his or her deputies are hereby designated as public officers and employees and are authorized to make arrests according to Penal Code Section 836.5 for the purpose of enforcing and carrying out provisions of Chapter 4 of Division 4 of this Code. The Poundmaster and deputies he or she may designate are further authorized to carry and use weapons while actually engaged in the performance of their duties. (Rep. & Reen. Ord. 3187-4/20/76)

4476 Severable provisions.

If any part of this Chapter is found to be unconstitutional or invalid, the Board of Supervisors hereby declares that it would have enacted the remainder of this Chapter regardless of the absence of any such invalid part. (Rep. & Reen. Ord. 3187-4/20/76)

4477 Rates and charges.

The Board of Supervisors may, by resolution, establish rates and charges for services rendered by the Poundmaster for which no rate or charge is designated in this Code. (Rep. & Reen. Ord. 3187-4/20/76)

4478 Repealed by Ordinance 3187-4/20/76

Article 7. Wild Animal Control

4480 Prohibition.

No person shall have, keep or maintain any wild animal or reptile unless adequate provisions are made for its confinement and control to insure the maintenance of public peace, health and safety.

4481 Wild animal defined.

A "wild animal" is an animal or reptile which is wild by nature and not customarily domesticated in Ventura County. This definition does not include birds, small rodents or small, non-poisonous reptiles commonly used for educational or experimental purposes or pets.

4482 Confinement regulations.

The Division may make rules regulating the size and type of cage or other means of confinement, the distance from the place of confinement to adjoining property, and any other regulations deemed reasonably necessary by the Division or the County Health Officer to carry out the purpose of this Article and to ensure the maintenance of humane, sanitary conditions and the safety of persons and property. A copy of the rules and regulations shall be furnished by the Division upon request. In applying the regulations to a given situation, the Division shall take into consideration the type, nature, disposition and training of the animal involved. (Am. Ord. 3187-4/20/76) (Am. Ord. 4403-10/20/09)

4483 Penalty.

Any person failing to comply with any provision of this Article or any rule or regulation of the Division or the County Health Officer made pursuant to the provisions of this Article within ten (10) days after notice of such rule or regulation shall be guilty of a misdemeanor/infraction. (Am. Ord. 3187-4/20/76) (Am. Ord. 4403-10/20/09)

4484 Notice of escape.

Any person keeping or maintaining a wild animal that escapes from its confinement shall immediately notify the Division of such escape. (Am. Ord. 4403-10/20/09)

4485 Disposition.

Wild animals found running loose may be impounded in accordance with the provisions of Section 4435 of this Code. However, neither the County nor its officers, agents or employees shall be liable for injury or disease to any animal incurred while said animal is being captured, transported or impounded. Wild animals, when found to be at large and injuring, damaging or threatening to injure or damage any person or property, will be deemed to be a public nuisance and may be summarily destroyed without liability resulting to the County, its officers, agents or employees.

Reclamation by an owner or keeper of any impounded wild animal will be permitted upon the payment to the Division of the actual cost to the Division of the capture, impounding and care of such animal provided that all required State and Federal permits are also obtained. (Am. Ord. 4403-10/20/09)

4486 Release of wild animals.

No person, organization, society, association or corporation shall import or shall release into Ventura County any wild animal, whether indigenous to Ventura County or not, without a permit from the Division. The animal released shall be identified by either an implanted microchip, a radio tracking collar, an indelible number tattooed on the animal or some other visible means of identification, and the person, organization, society, association or corporation shall be responsible for damage inflicted by said animal. (Add. Ord. 2420-3/23/71) (Am. Ord. 4403-10/20/09)

4487 License requirements.

Every person who owns, harbors, or keeps any wild animal shall obtain either a current wild animal license or wild animal facility license issued under the provisions of this Article. (En. Ord. 3390-8/15/78)

4488 License application.

The wild animal license and/or wild animal facility license required by this Article may be obtained by making written application to the Poundmaster, demonstrating to the satisfaction of the Poundmaster that the applicant will comply with Section 4480 and regulations adopted pursuant to Section 4482, and paying the proper fee to the Division. Such application shall describe the animal(s) to the satisfaction of the Poundmaster and shall include the address and, where available, the telephone number of the applicant. (En. Ord. 3390-8/15/78) (Am. Ord. 4403-10/20/09)

4489 License fees.

The fees for the wild animal license and/or wild animal facility license required by this Article shall be as prescribed by resolution of Board of Supervisors. (En. Ord. 3390-8/15/78)

4490 License period.

The license period for any wild animal license or wild animal facility license issued pursuant to this Article shall be one (1) year, beginning January 1

and ending December 31. Such license shall expire and cease to be "current" at the expiration of the year for which it was issued. Renewal shall be made only upon application and payment of the fee provided for the issuance of a license. (En. Ord. 3390--8/15/78)

4491 Revocation of license.

Any wild animal license or wild animal facility license issued under the provisions of this Article may be revoked by the Poundmaster or the County Health Officer whenever, in his or her opinion, anyone of the following conditions pertains:

- (a) the animal is not kept or maintained in a sanitary or healthful condition;
- (b) the animal is not provided with adequate care and supervision;
- (c) the animal poses a threat to human life or safety;
- (d) the animal poses a threat to personal property;
- (e) the animal has in any way become a nuisance; or
- (f) there is a violation of the regulations adopted pursuant to Section 4482.

The revocation shall become effective immediately upon either the receipt of actual notice by the applicant or the end of the tenth (10th) day after written notice addressed to the applicant at the address shown on his or her application is deposited in the mail, whichever shall first occur. (En. Ord. 3390-8/15/78)

4492 Zoning.

The requirements of this Article shall be deemed to be in addition to, and not in limitation of, the requirement of any applicable zoning laws or ordinances. A license issued under the provisions of this Article shall not operate to permit the harboring or keeping of wild animals in any zone where the use of land for sale purposes is not permitted by the then current zoning laws or ordinances. (En. Ord. 3390-8/15/78)

Article 8. Administrative Enforcement Alternative

(Add. Ord. 4403--10/20/09)

4493-1 Purpose and applicability.

This Article authorizes an Animal Control Officer, as defined within this Division, to issue an administrative citation assessing a civil penalty in lieu of proceeding with a criminal citation or complaint for enforcement of any violation of the provisions of this Chapter. The determination whether to use such an alternative will be at the sole discretion of the Animal Control

Officer. However, the issuance of an administrative citation shall not prevent the issuance of a criminal citation or complaint for any subsequent violation(s) of the same or similar nature. (Add. Ord. 4403-10/20/09)

4493-2 Definitions.

The following definitions shall apply to the words or phrases used in this Chapter.

- (1) Citee means any person to whom an enforcement officer has issued an administrative citation that assesses a civil penalty in the manner provided for by this Chapter.
- (2) Enforcement officer or Animal Control Officer means any County officer or employee who is authorized to issue citations for violations of the Animal Control Ordinance.
- (3) Day means calendar and not business day.
- (4) Hearing Officer means a person who has been designated or retained to conduct a hearing by the Division.
- (5) County shall mean the County of Ventura.
- (6) Board of Supervisors shall mean the Board of Supervisors of the County of Ventura. (Add. Ord. 4403-10/20/09)

4493-3 Determination of civil penalties.

The maximum amount of civil penalties assessed pursuant to this Chapter shall be established by resolution of the Board of Supervisors. In addition to establishing maximum civil penalties for an initial violation of the provisions of this Chapter, such resolution shall also provide for increased maximum penalties for repeated violations and collection fees as referenced within this Chapter but in no event shall any penalty assessed for a separate violation of this Chapter exceed \$1,000. The precise amount of penalty assessed for any particular violation shall be determined, in the first instance, by the enforcement officer, taking into account the circumstances in light of various factors which include, but are not limited to, the following:

- (1) the actual or potential extent of the harm caused;
- (2) the likelihood to cause harm;
- (3) the seriousness or gravity of the violation (i.e., the level of threat to property, health, or safety of people and animals or the environment);
- (4) whether the violation is subject to correction by obtaining a permit or license, or cannot be corrected by permit or license;
- (5) the culpability of the violator in causing the violation;
- (6) the length of time over which the violation occurs;
- (7) the history of past violations, either of a similar or different nature, on the same or different property under the same ownership;
- (8) the cooperation of the violator in resolving the

existing and past violations; (9) the financial burden to the violator; (10) the factors and policies set forth in any Civil Administrative Penalty Guidelines adopted by the Board of Supervisors; and (11) all other relevant circumstances. Once imposed, the daily penalty will continue to accrue until the violation is corrected to the satisfaction of the Director.

The Director may stay the imposition of penalties or decrease the amount of penalties, either temporarily or permanently, if the Director determines that: (1) substantial progress is being made toward correcting the violation and that decreasing the penalties would further the goal of correcting the violation; or (2) circumstances exist that were either beyond the control of the violator or were unknown at the time the penalties were imposed and warrant the reduction or suspension of the penalties. If the amount of the civil penalties is modified or suspended, the Notice to citee and Administrative Citation provided for in Sections 4493-4 and 4493-5.1, below, shall be amended stating the modified terms and an Amended Notice to citee shall be served on the violator. The daily civil penalty imposed for a violation that is an infraction shall not exceed the amount of the maximum amount of fines or penalties for infractions set forth in Government Code Sections 25132 subdivision (b). (Add. Ord. 4403-10/20/09)

4493-4 Service of citations and notices.

1. Notice to citee. Unless otherwise provided for in this Chapter, all citations and other notices required to be served upon a citee, shall be served either by personal service or by first-class mail, postage prepaid, addressed to the citee at his or her last known address. Such service shall be deemed effective upon the date it is personally delivered to the citee or on the date it is deposited in the mail. The County officer or employee serving the citation or other notice by mail shall complete a declaration of service and attach it to the copy of the citation or other notice.

2. Notice to the Division. Unless otherwise provided for by this Chapter, all notices required to be served upon the County pursuant to this Chapter, shall be served either by personal service at the office set forth in the citation or by first class mail, postage prepaid, addressed to the Division at the address set forth in the citation. Such service shall be deemed effective upon the date it is personally delivered to the Division or on the date postmarked when served upon the Division by mail. (Add. Ord. 4403-10/20/09)

4493-5 Assessment and payment of civil penalties.

4493-5.1 Issuance of administrative citation assessing civil penalty.

A person who is assessed a civil penalty for a violation of the provisions of this Chapter shall be served with an Administrative Civil Citation that assesses a civil penalty in an amount established pursuant to Section 4493-1. (Add. Ord. 4403-10/20/09)

4493-5.2 Contents of administrative citation.

Each administrative citation shall contain, but not necessarily be limited to, the following information:

- (1) The date of the violation;
- (2) The address or a location description wherein the violation occurred or is occurring;
- (3) The section(s) of the Chapter that was (were) violated;
- (4) A description of the circumstances of the violation;
- (5) The amount of the civil penalty for the violation;
- (6) The procedures for paying the civil penalty, including the time within which payment must be made and the address for payment;
- (7) An order prohibiting any continuation of the code violation described in the administrative citation;
- (8) Notice that the payment of any penalties under this Chapter does not excuse or discharge any continued or repeated violation of the code section which is the subject of the administrative citation;
- (9) A description of the time and manner in which the citee may request an administrative review of the civil penalty in the event that the citee decides to contest the penalty; and
- (10) The full name of the enforcement officer. (Add. Ord. 4403-10/20/09)

4493-5.3 Payment of civil penalties.

A civil penalty assessed against a citee pursuant to the provisions of this Chapter must be paid in full to the Division at the place identified in the administrative citation within thirty (30) days from the date of the citation. (Add. Ord. 4403-10/20/09)

4493-6 Collection fees.

A collection fee of \$25 shall be assessed to the citee, which amount represents the average collection agency fee and other costs incurred by the County in processing the civil citation. This amount may be modified by future Board resolutions. (Add. Ord. 4403-10/20/09)

4493-7 Financial inability to pay penalties and fees.

In the event that a citee proves to the satisfaction of the Division that he or she does not have the financial ability to pay the full amount of the civil penalty, including delinquency fees, as set forth in this Chapter the Division may permit the citee to execute a promissory note in lieu of payment at that time. Such note shall provide for payment of all penalties and fees and include a reasonable rate of interest not to exceed that allowed by the California Code of Civil Procedure upon judgments. While this procedure will not satisfy the underlying obligation it will delay the collection of the amounts due until the date set forth on the promissory note. (Add. Ord. 4403-10/20/09)

4493-8 Administrative Hearing Procedures.

4493-8.1 Request for administrative hearing.

A citee who is issued a citation assessing a civil penalty arising out of a violation of this Chapter may request an administrative hearing of the civil penalty as provided for herein. Such request must be made in writing and served upon the Division at the address set forth in the citation within 20 days following the issuance of the citation. The request must include the citation number and set forth, in particularity, the reasons why the citee believes the violation did not occur, that the citee was not responsible for the violation or that there were other mitigating factors. The request must also identify the address of the citee for the purpose of receiving notice of the response of the Division to the request. (Add. Ord. 4403-10/20/09)

4493-8.2 Advance deposit of penalty amount.

Except as may be provided for in this Chapter, each Request for Administrative Hearing must be accompanied by an advance deposit in an amount equal to the contested civil penalty, include delinquency fees, or the amount of \$1,000.00, whichever is less. (Add. Ord. 4403-10/20/09)

4493-8.3 Hardship waiver of advance deposit of penalty amount.

(1) A citee who is financially unable to make an advance deposit of the amount required for an Administrative Hearing deposit may file an application with the Division requesting a waiver of the advance deposit. Such application shall be in a form required by the Division, filed with the request for administrative hearing and shall be accompanied by a

declaration, signed under penalty of perjury, with any supporting documents required by the Division, demonstrating the citee's financial inability to pay.

(2) The Division shall review the request for hardship waiver, including the declaration and supporting documents, and determine whether to grant or deny the request. Thereafter, the Division shall serve the citee with a notice of its determination by mail at the address provided in the waiver application. The determination of the Division as to such waiver shall be final.

(3) Should the application be denied, the citee must deposit the required advance deposit with the Division not later than ten (10) days following the date the notice of denial of the waiver was served upon the citee. Failure to provide the deposit within ten (10) days shall be deemed a waiver of the citee's right to an administrative hearing and the civil penalty shall be deemed delinquent. The Division shall thereafter serve notice of the penalty amount for the delinquency upon the citee and provide notice to the Hearing Officer. (Add. Ord. 4403-10/20/09)

4493-8.4 Administrative hearing date.

Upon receiving a timely request for an administrative hearing to contest a citation assessing a civil penalty, together with any required deposits, the Division shall set an administrative hearing on a date not less than fifteen (15), nor more than sixty (60) days, from the date the hearing is requested. Written notice of the date, time and location of the administrative hearing shall be provided to the citee at least fifteen (15) days prior to the hearing date. (Add. Ord. 4403-10/20/09)

4493-8.5 Hearing procedures.

(1) Issues to be determined at the hearing are limited to whether the violation alleged in the administrative citation actually occurred; and whether the citee was legally responsible for the violation.

(2) The burden of proof will be upon the Division by a preponderance of the evidence. The citation itself shall be considered as prima facie evidence of the facts contained therein. Both the citee and the enforcement officer shall have the opportunity to testify and present additional evidence concerning the alleged violation. Such evidence may include witness testimony, documents, and other evidence. Strict rules of evidence shall not apply, including hearsay. Evidence must be relevant and material to the issues of whether the violation actually occurred and/or whether the citee was responsible for the violation.

(3) In lieu of personally appearing at the hearing, the citee may request that the Hearing Officer decide the matter upon the facts set forth in the

citation, and relevant documents or written statements previously submitted.

(4) If the citee fails to appear at the hearing, without having been granted a waiver of presence, this will be deemed to be a waiver of the right to be personally present. The hearing officer shall then determine the matter upon the facts set forth in the citation, and relevant documents or written statements previously submitted, and statements from the enforcement officer during the hearing.

(5) The enforcement officer who issued the citation may, but is not required to, be present at the hearing. In lieu of such attendance the enforcement officer may submit, prior to the hearing, reports, photographs, or other documents to the Division which shall then be forwarded to the hearing officer for consideration.

(6) The hearing officer shall have the authority to continue any hearing and request additional information from the enforcement officer or citee prior to rendering a written decision. (Add. Ord. 4403-10/20/09)

4493-8.6 Hearing officer's decision.

(1) Within ten days after completion of the hearing, the hearing officer shall issue a written decision to uphold or set aside the civil penalty assessed against the citee and shall set forth the reasons for such decision. A copy of the decision shall be provided to the Division.

(2) The Division shall, after receiving a copy of the hearing officer's determination, promptly provide a copy thereof to the citee at the address set forth in his/her request for administrative hearing.

(3) If the decision of the hearing officer is to sustain the civil penalty, the Division shall accompany the hearing officer's decision with a notice advising the citee that the Division will retain any advance deposit previously paid for the civil penalty amount. If payment was not in the full amount, including a waiver previously granted, full and complete payment will be required within thirty (30) days of the date of the notice.

(4) The citee shall have the right to file a petition in the Ventura County Superior Court for review of the hearing officer's decision as set forth in California Code of Civil Procedure sections 1094.5 and 1094.6. Such petition must be filed within ninety (90) days of the date notice of the decision is served on the citee.

(5) If the decision of the hearing officer is to set aside and vacate the civil penalty, any advance deposit of the civil penalty shall be refunded to the citee. Notice shall be provided to the citee of the determination and the refund. Notice of the decision shall also be provided to the enforcement officer. (Add. Ord. 4403-10/20/09)

4493-8.7 Enforcement.

A penalty that is final either by termination of appeal rights or by completion of the appeal process may be collected by any lawfully authorized means including but not limited to filing a civil action to recover the amount of the unpaid penalties. (Add. Ord. 4403-10/20/09)

SECTION 2: Article 6 of Chapter 4 of Division 2 of the Ventura County Ordinance Code is hereby amended to read as follows:

Article 6. Kennels

2591 License required.

No person shall own, manage or operate a kennel, as defined in this Article, within the unincorporated areas of the County unless such kennel has first been licensed by the County pursuant to this Article and the license is currently in effect.

2592 Kennel defined.

A "kennel" within the meaning of this Article means any place or premises where at any given time five (5) or more dogs or cats over the age of four (4) months are kept for commercial purposes. For the purposes of this Section, "commercial purposes" include boarding, grooming, breeding, training, sale, adoption and related purposes for which some valuable consideration is paid. (Am. Ord. 4403-10/20/09)

2593 Application.

Every applicant for a license required by Section 2591 shall personally appear before the Poundmaster or his or her designee and make a written application for such license. Such application shall, in addition to the information required by Section 2113-2, contain the following information:

- (a) The name of the kennel;
- (b) The name or names of the person or persons owning, managing and operating the kennel;
- (c) The number and approximate age of the animals kept therein as of the date of application;
- (d) The maximum number of animals over the age of four (4) months and the maximum number of animals under such age which will be kept at the kennel at any given time during the licensing period; and
- (e) The purpose or purposes for which the animals are kept. Such

application shall be accompanied by a certificate from the Ventura County Planning Department stating that the operation of the kennel is a permitted use or that a special or conditional use permit has been issued by the County for such operation within the zone in which the kennel is to be located. Application forms shall be prepared by and kept in the files of the Animal Services Division of the Ventura County Department of Public Health. (Am. Ord. 4403-10/20/09)

2594 Inspection and approval.

Upon receipt of an application satisfactory on its face, the Poundmaster shall cause the kennel to be inspected to determine whether it complies with the minimum standards for the operation of a kennel containing the number of animals of the various ages specified in the application as the maximum number which will be kept in the kennel at any given time during the licensing period. Such minimum standards shall be prepared by the Poundmaster in writing and shall be made available for inspection during regular business hours. If the Poundmaster determines that the kennel meets such minimum standards and that the application complies with all the requirements of this Article, he or she shall approve the application. The Poundmaster shall notify the applicant of approval or disapproval of the application within thirty (30) days of the receipt thereof. The Poundmaster shall keep the original of the application on file in the office of the Animal Services Division of the Ventura County Department of Public Health throughout the term of the license issued pursuant to such application. (Am. Ord. 4403-10/20/09)

2595 Issuance.

Upon approval of the application, the Poundmaster shall issue a kennel license and forward a copy thereof marked "Approved" to the Tax Collector. (Am. Ord. 4403-10/20/09)

2596 Annual license fee.

The annual license fee shall be as prescribed by resolution of the Board of Supervisors.

2597 Renewal.

Licenses issued pursuant to this Article may not be renewed beyond the licensing period for which they are issued. Persons wishing to obtain a license for a given kennel for more than one licensing period must obtain a new license for each such period

2598 Revocation.

Any license issued pursuant to this Article may be revoked by the Poundmaster whenever:

- (a) the kennel contains a greater number of animals than the maximum number specified in the application;
- (b) in the opinion of the Poundmaster, the kennel fails to meet any of the minimum standards mentioned in Section 2594;
- (c) in the opinion of the Poundmaster, the kennel is not being maintained in a sanitary and healthful condition; or
- (d) in the opinion of the Poundmaster, the animals confined in the kennel are not provided with adequate care and supervision.

The Poundmaster shall notify the Tax Collector promptly of such revocation. No part of the animal license fee shall be refunded in the event of such revocation.

2599 Zoning.

The provisions of this Article are in addition to, and not in limitation of, the provisions of any applicable zoning laws or ordinances. A license issued pursuant to this Article shall cease to be valid whenever the operation of the kennel to which the license applies becomes a prohibited use for the zone in which it is then located.

2600 Authority of poundmaster.

For the purposes of this Article, the Poundmaster is authorized to do all those things which the Sheriff is empowered to do pursuant to Sections 2120-1.1, 2120-1.4, 2120-1.7, 2131 and 2133. (Am. Ord. 4403-10/20/09)

SECTION 3: SAVINGS CLAUSE In all other respects, the Ventura County Ordinance Code, as amended to date, shall remain in full force and effect until and unless further amended by the Board of Supervisors.

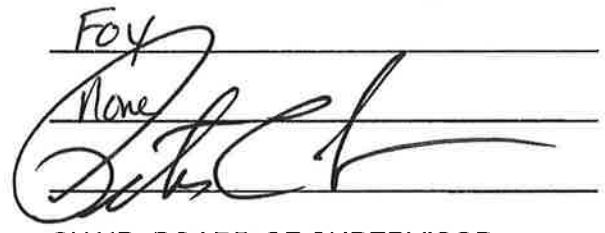
SECTION 4: SEVERABILITY CLAUSE If any part of this ordinance is found to be unenforceable by a court of competent jurisdiction, the remaining parts of this ordinance shall continue to be valid and enforceable.

PASSED AND ADOPTED this 10th day of November, 2013, by the following vote:

AYES Supervisors Bennett, Parks, Long, and Zalagora

NOES Foy

ABSENT None



CHAIR, BOARD OF SUPERVISOR



ATTEST: MICHAEL POWERS
Clerk of the Board of Supervisors,
County of Ventura, State of California

By 
Chief Deputy Clerk of the Board