

1 “Class I Kennel. Any building, structure, enclosure, or premises whereupon, or within
2 which, five (5) to ten (10) dogs, four (4) months of age or older, are kept or maintained. A
3 Class I Kennel shall not include a Sentry Dog Kennel or an Animal Rescue Operation that
4 meets the definition and requirements set forth in this ordinance.”

5 “Class II Kennel. Any building, structure, enclosure or premises whereupon, or within
6 which, eleven (11) to twenty-five (25) dogs, four (4) months of age or older, are kept or
7 maintained.”

8 “Unaltered and Unspayed. A dog or cat, four (4) months of age or older, that has not been
9 spayed or neutered. A condition that exists in an animal which permits the producing of
10 offspring.”

11 Section 3. The first paragraph of subsection a. of Section 5. of Ordinance No. 630.11
12 is

13 amended to read as follows:

14 “a. No person shall operate or maintain a Class I Kennel, Class II Kennel, Class III
15 Kennel, Class IV Kennel, Sentry Dog Kennel or cattery without first obtaining an
16 appropriate license from the Department. Such license shall be valid for a period of either
17 one (1) or two (2) years from the date of issuance. Said license shall be renewed within
18 thirty (30) days after the date of expiration. Where a kennel license has been issued and is
19 in effect, the dogs contained in such kennel shall be exempt from the requirements of
20 individual license tags as provided in Section 2 of this ordinance. The Class I Kennel,
21 Class II Kennel, Class III Kennel, Class IV Kennel, Sentry Dog Kennel and cattery license
22 fees, and late fees, shall be as set out below. If an application for a license or renewal of a
23 license is made more than thirty (30) days after the date such license is required or such
24 previous license has expired, a late fee of 50% of the applicable fee shall be added.”

25 Section 4. The following categories are added to subsection a. of Section 5. of
26 Ordinance No. 630.11 to read as follows:

27 “Class III (26-40 dogs)
28 1 year license, Un-Altered* \$500.00
2 year license, Un-Altered* \$700.00
1 year license, Altered* 2 \$350.00

1 2 year license, Altered* \$500.00

2 ***One (1) acre minimum as per Ordinance No. 348**

3 COMMENTS:

- 4 1. Altered: All dogs are spayed and/or neutered
- 5 2. Unaltered: One or more dogs are not spayed and/or neutered

6 **Late Fee: 50% of the applicable fee(s)."**

7 "Class IV (41+ dogs)

8 1 year license, Un-Altered* \$750.00

9 2 year license, Un-Altered* \$900.00

10 1 year license, Altered* \$500.00

11 2 year license, Altered* \$650.00

12 ***One (1) acre minimum as per Ordinance No. 348**

13 COMMENTS:

- 14 1. Altered: All dogs are spayed and/or neutered
- 15 2. Unaltered: One or more dogs are not spayed and/or neutered

16 **Late Fee: 50% of the applicable fee(s)."**

17 "Sentry Dog Kennel

18 1 year license, Un-Altered*+ \$500.00

19 2 year license, Un-Altered*+ \$750.00

20 1 year license, Altered*+ \$350.00

21 2 year license, Altered*+ \$500.00

22 ***One (1) acre minimum as per Ordinance No. 348**

23 **+ Conditional Use Permit required as per Ordinance No. 348**

24 COMMENTS:

- 25 1. Altered: All dogs are spayed and/or neutered
- 26 2. Unaltered: One or more dogs are not spayed and/or neutered

27 **Late Fee: 50% of the applicable fee(s)."**

28 Section 5. Subsection c. of Section 6. of Ordinance No. 630.11 is amended to read as

follows:

"c. An animal rescuer may keep a maximum of four (4) personal (not for adoption or sale) dogs and nine (9) personal (not for adoption or sale) cats and must include these animals as "personal pets" on the animal rescue permit application."

Section 6. Subsection n. of Section 11. of Ordinance No. 630.11 is amended to read as

follows:

"n. The hourly rate for the recovery of administrative costs associated with the recoupment of enforcement costs, as provided in this Ordinance, shall be \$53.00."

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2 Section 7. A new Section 13 is added to Ordinance No. 630.11 to read as follows:

3 “Section 13. a. MANDATORY SPAYING AND NEUTERING

4
5 1. Requirement. No person may own, keep, or harbor an unaltered and
6 unspayed dog or cat in violation of this Section. An owner or custodian of
7 an unaltered dog must have the dog spayed or neutered, or provide a
8 certificate of sterility, or obtain an unaltered dog license in accordance with
9 this ordinance. An owner or custodian of an unaltered cat must have the
10 animal spayed or neutered, or provide a certificate of sterility.

11 2. Exemptions. This section shall not apply to any of the following:

12 A. A dog with a high likelihood of suffering serious bodily harm or
13 death if spayed or neutered, due to age or infirmity. The owner or
14 custodian must obtain written confirmation of this fact from a
15 California licensed Veterinarian. If the dog is able to be safely
16 spayed or neutered at a later date, that date must be stated in the
17 written confirmation; should this date be later than thirty (30) days,
18 the owner or custodian must apply for an unaltered dog license.

19 B. A cat with a high likelihood of suffering serious bodily harm or
20 death if spayed or neutered, due to age or infirmity. The owner or
21 custodian must obtain written confirmation of this fact from a
22 California licensed Veterinarian. If the cat is able to be safely
23 spayed or neutered at a later date, that date must be stated in the
24 written confirmation.

25 b. DENIAL OR REVOCATION OF UNALTERED DOG LICENSE AND RE-
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1 APPLICATION

2 1. The Department may deny or revoke an unaltered dog license for one or
3 more of the following reasons:

4 A. The owner, custodian, applicant or licensee is not in compliance
5 with all of the requirements of this section;

6 B. The Department has received at least two complaints, verified by the
7 Department, that the owner, custodian, applicant, or licensee has allowed a
8 dog to be stray or run at large or has otherwise been found to be neglectful
9 of his or her or other animals;

10 C. The owner, custodian, applicant, or licensee has been previously
11 cited for violating a state law, county code or other municipal provision
12 relating to the care and control of animals;

13 D. The unaltered dog has been adjudicated by a court or an agency of
14 appropriate jurisdiction to be potentially dangerous, dangerous or vicious,
15 or to be nuisance within the meaning of the Riverside County Ordinances or
16 under state law;

17 E. Any unaltered dog license held by the applicant has been revoked;

18 F. The license application is discovered to contain a material
19 misrepresentation or omission of fact.
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21 2. Re-application for unaltered dog license:

22 A. When an unaltered dog license is denied, the applicant may re-apply
23 for a license upon changed circumstances and a showing that the
24 requirements of this ordinance have been met. The Department shall refund
25 one-half of the license fee when the application is denied. The applicant shall
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1 pay the full fee upon re-application.

2 B. When an unaltered dog license is revoked, the owner or custodian of
3 the dog may apply for a new license after a thirty (30) day waiting period
4 upon showing that the requirements of this ordinance have been met. No part
5 of an unaltered dog license fee is refundable when a license is revoked and
6 the applicant shall pay the full fee upon re-application.
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8 c. APPEAL OF DENIAL OR REVOCATION OF UNALTERED DOG LICENSE.

9 1. Request for hearing.

10 A. Notice of intent to deny or revoke. The Department shall mail to the
11 owner, custodian, licensee, or applicant a written notice of its intent to deny
12 or revoke the license for an unaltered dog which includes the reason(s) for the
13 denial or revocation. The owner, custodian, licensee or applicant may request
14 a hearing to appeal the denial or revocation. The request must be made in
15 writing within ten (10) days after the notice of intent to deny or revoke is
16 mailed. Failure to submit a timely written hearing request shall be deemed a
17 waiver of the right to appeal the license denial or revocation.
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19 B. Hearing officer. The hearing shall be conducted by the Animal
20 Services Director's designee.

21 C. Notice and conduct of hearing. The Department shall mail a written
22 notice of the date, time, and place for the hearing not less than ten (10) days
23 before the hearing date. The hearing date shall be no more than thirty (30)
24 days after the Department's receipt of the request for a hearing. The hearing
25 will be informal and the rules of evidence will not be strictly observed. The
26 Department shall mail a written decision to the owner or custodian within ten
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1 (10) days after the hearing. The decision of the hearing officer shall be the
2 final administrative decision.

3 2. Change in location of dog. If the dog is moved after the Department has
4 issued a letter of intent to deny or revoke, but has not yet denied or revoked the
5 license, the owner, custodian, licensee, or applicant must provide the Department
6 with information as to the dog's whereabouts, including the current owner or
7 custodian's name, address, and telephone number.
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9 d. TRANSFER, SALE, AND BREEDING OF UNALTERED DOG OR CAT.

10 1. Offer for sale or transfer of unaltered dog. An owner or custodian who
11 offers any unaltered dog for sale, trade, or adoption must include a valid unaltered
12 dog license number with the offer of sale, trade or adoption, or otherwise state and
13 establish compliance with this section. The unaltered license and microchip numbers
14 must appear on a document transferring the animal to the new owner.
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16 2. Offer for sale or transfer of unaltered cat. An owner or custodian of an
17 unaltered cat must notify the Department of the name and address of the transferee
18 within ten days after the transfer. The microchip numbers must appear on a document
19 transferring the animal to the new owner.
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21 e. PENALTIES. Penalties issued for failure to spay or neuter a dog or cat shall be
22 enforced as set forth below:

23 1. An administrative citation, infraction, or other such authorized penalty may
24 be issued to an owner or custodian of an unaltered dog or cat for a violation of this
25 section only when the owner or custodian is concurrently cited for another violation
26 under state or local law pertaining to the obligations of a person owning or
27 possessing a dog or cat. Examples of such state law or local ordinance violations
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1 include, but are not limited to, the following: failure to possess a current canine
2 rabies vaccination of the subject dog; dog or cat at large; failure to license a dog;
3 leash law violations; kennel or cattery permit violations; tethering violations;
4 unhealthy or unsanitary conditions; failure to provide adequate care for the subject
5 dog or cat in violation of the Penal Code; rabies quarantine violations for the subject
6 dog; operating a business without a license and/or lack of State Tax ID Number;
7 fighting dog activity in violation of Penal Code section 597.5; animals left
8 unattended in motor vehicles; potentially dangerous, dangerous or vicious animals;
9 and noisy animals.

11 2. Should the owner or custodian of an unaltered dog or cat be found in
12 violation of a state or local law, as stated above, in subsection (1), the owner or
13 custodian shall be required to spay or neuter the unaltered animal in accordance
14 with this section.

16 f. IMPOUNDMENT OF UNALTERED DOG OR CAT

17 1. When an unaltered dog or cat is impounded pursuant to state and/or local
18 law, in addition to satisfying applicable requirements for the release of the animal,
19 including but not limited to payment of impound fees pursuant to this Ordinance,
20 the owner or custodian shall also do one of the following:

22 A. Provide written proof of the dog or cat's prior sterilization, if
23 conditions cannot or do not make this assessment obvious to Department
24 personnel;

25 B. Have the dog or cat spayed or neutered by a Department veterinarian
26 at the expense of the owner or custodian. Such expense may include
27 additional fees due to extraordinary care required;
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1 C. Have the dog or cat spayed or neutered by another California
2 licensed veterinarian. The owner or custodian may arrange for another
3 California licensed veterinarian to spay or neuter the animal, and shall pay to
4 the Department the cost to deliver said animal to the chosen veterinarian. The
5 cost to deliver the animal shall be based on the Department's hourly rate
6 established by the Auditor-Controller. The veterinarian shall complete and
7 return to the Department within ten days, a statement confirming that the dog
8 or cat has been spayed or neutered or is, in fact, incapable of breeding and
9 shall release the dog or cat to the owner or custodian only after the spay or
10 neuter procedure is complete;

11
12 D. At the discretion of the Director, the dog or cat may be released to
13 the owner or custodian if he or she signs a statement under penalty of perjury,
14 representing that the dog or cat will be spayed or neutered and that he or she
15 will submit a statement within ten (10) days of the release, signed by the
16 veterinarian, confirming that the dog or cat has been spayed or neutered or is
17 incapable of breeding; or
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19 E. If the owner or custodian demonstrates compliance with this
20 Section.
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22 2. Costs of Impoundment.

23 A. The owner or custodian of the unaltered dog or cat shall be
24 responsible for the costs of impoundment, which shall include daily board
25 costs, vaccination/medication, and any other diagnostic or therapeutic
26 applications as provided in this Ordinance.

27 B. The costs of impoundment shall be a lien on the dog or cat, and the
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1 unaltered animal shall not be returned to its owner or custodian until the
2 costs are paid. If the owner or custodian of an impounded unaltered animal
3 does not pay the lien against it in full within fourteen (14) days, the animal
4 shall be deemed abandoned to the Department in accordance with this
5 Ordinance.

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7 g. APPLICATION OF FEES AND FINES COLLECTED. All costs and fines
8 collected under this part and the fees collected under this Section, subsection (f) shall be
9 paid to the Department for the purpose of defraying the cost of the implementation and
10 enforcement of this program.”

11 Section 8. A new Section 14 is added to Ordinance No. 630.11 to read as follows:

12 “Section 14. MANDATORY MICROCHIPPING OF DOGS AND CATS

13 a. All dogs and cats over the age of four months must be implanted with an
14 identifying microchip. The owner or custodian is required to provide the
15 microchip number to the Department, and shall notify the Department of
16 any change of ownership of the dog or cat, or any change of address or
17 telephone number. Nothing in this section supersedes, eliminates, or alters
18 the requirements of sections 2, 5, and any other licensing requirements of
19 this ordinance.

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21 b. Exemptions. The mandatory microchipping requirements shall not
22 apply to any of the following:

- 23 1. A dog or cat with a high likelihood of suffering serious
24 bodily injury, if implanted with the microchip identification,
25 due to the health conditions of the animal. The owner or
26 custodian must obtain written confirmation of that fact from
27 a California licensed Veterinarian. If the dog or cat is
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1 able to be safely implanted with an identifying microchip at
2 a later date, that date must be stated in the written
3 confirmation.

4 2. A dog or cat which would be impaired of its athletic ability
5 or performance if implanted with the microchip
6 identification. The owner or custodian must obtain written
7 confirmation of that fact from a California licensed
8 Veterinarian. If the dog or cat is able to be safely implanted
9 with an identifying microchip at a later date, that date must
10 be stated in the written confirmation.

11 3. A dog or cat that is kenneled or trained in Riverside County,
12 but is owned by an individual that does not reside in
13 Riverside County. The owner or custodian must keep and
14 maintain the animal in accordance with the applicable laws
15 and ordinances of the jurisdiction in which the owner or
16 custodian of the animal permanently resides, including but
17 not limited to the applicable licensing and rabies vaccination
18 requirements of that jurisdiction.

19 c. Transfer, sale of dogs and cats.

20 1. An owner or custodian who offers any dog, over the age of
21 four months, for sale, trade, or adoption must provide the
22 microchip identification number and the valid dog license
23 number with the offer of sale, trade or adoption. The license
24 and microchip numbers must appear on a document
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1 transferring the dog to the new owner. The owner or
2 custodian shall also advise the Department of the name and
3 address of the new owner or custodian in accordance with
4 subdivision (a) of this section. An owner or custodian who
5 offers any dog, over the age of four months, for sale, trade,
6 or adoption and fails to provide the Department with the
7 name and address of the new owner, is in violation of this
8 ordinance and shall be subject to the penalties set forth
9 herein.
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11 2. An owner or custodian who offers any cat, over the age of
12 four months, for sale, trade, or adoption must provide the
13 microchip identification number with the offer of sale, trade
14 or adoption. The microchip numbers must appear on a
15 document transferring the cat to the new owner. The owner
16 or custodian shall also advise the Department of the name
17 and address of the new owner or custodian in accordance
18 with subdivision (a) of this section. An owner or custodian
19 who offers any cat, over the age of four months, for sale,
20 trade, or adoption and fails to provide the Department with
21 the name and address of the new owner, is in violation of this
22 ordinance and shall be subject to the penalties set forth
23 herein.
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25 3. When a puppy or kitten under the age of four months
26 implanted with microchip identification is sold or otherwise
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1 transferred to another person, the owner or custodian shall
2 advise the Department of the name and address of the new
3 owner or custodian, and the microchip number of the puppy
4 or kitten within ten days after the transfer. If it is discovered
5 that an owner or custodian has failed to provide the
6 Department with the name and address of the new owner and
7 the microchip number of the puppy or kitten, the owner or
8 custodian shall be subject to the penalties set forth in this
9 ordinance.
10

11 d. When an impounded dog or cat is without microchip identification,
12 in addition to satisfying applicable requirements for the release of
13 the animal, including but not limited to payment of impound fees
14 pursuant to this Ordinance, the owner or custodian shall also do one
15 of the following:
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- 17 1. Have the dog or cat implanted with a Department microchip
18 by a Department registered veterinarian technician or
19 veterinarian or designated personnel at the expense of the
20 owner or custodian;
- 21 2. Have the dog or cat implanted with a Department approved
22 microchip by a California licensed veterinarian. The owner
23 or custodian may arrange for another California licensed
24 veterinarian to perform the implant, and shall pay to the
25 Department the cost to deliver the dog or cat to the chosen
26 veterinarian. The cost to deliver the dog or cat shall be based
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1 on the Department's hourly rate established by the Riverside
2 County Auditor-Controller. The veterinarian shall complete
3 and return to the Department within ten days, a statement
4 confirming that the microchip has been implanted, provide
5 the Department with the number and shall release the dog or
6 cat to the owner or custodian only after the procedure is
7 complete; or,

9 3. At the discretion of the Director of Animal Services, the dog
10 or cat may be released to the owner or custodian if he or she
11 signs a statement under penalty of perjury, representing that
12 the dog or cat will be implanted with a microchip and that he
13 or she will submit a statement within ten (10) days of the
14 release, signed by a California licensed veterinarian,
15 confirming that the dog or cat has been so implanted and
16 provide the microchip number to the Department or allow
17 the Department to scan the dog or cat for the microchip to
18 verify.

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21 e. Fees for microchip identification device. The fee for an identifying
22 microchip device shall be included in the cost of adoption when
23 adopting a dog or cat from a Riverside County animal shelter. The
24 fee for an identifying microchip device shall be the amount set forth
25 in Section 11, subdivision (o) per animal for all other animals. If an
26 animal has already been implanted with an identifying microchip
27 device by some other facility, there will be no fee to have the
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1 identification microchip number entered into the Department's
2 registry as required by subdivision (a) of this section.

3 f. Penalties

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- 5 1. An owner or custodian in violation of this section may be
6 issued an administrative citation, pursuant to the
7 Administrative Citations and Penalties section set forth in
8 this Ordinance, for failure to microchip the owner or
9 custodian's dog or cat.
- 10 2. If an administrative citation is issued for violation of this
11 Section of this ordinance, persons receiving such
12 administrative citation, may choose to clear the citation
13 within ten (10) calendar days, thereby avoiding potentially
14 higher penalty, by demonstrating their compliance with the
15 mandatory microchipping requirement of subdivision (a) of
16 this section to the Director and paying an administrative fee
17 of twenty dollars (\$20.00) to the Department.

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19 g. Allocation of fees and fines collected. All costs, fees, and fines
20 collected under this section shall be paid to the Department for the
21 purpose of defraying the cost of the implementation and
22 enforcement of this program and for low cost microchipping
23 programs administered by the Department.”

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25 Section 9. Existing Sections 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26
26 are renumbered 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28 respectively.

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28 Section 10. Renumbered Section 24, which was previously Section 22, of Ordinance

1 No. 630.11 is amended to read as follows:

2 The references to "Section 22" are changed to "Section 24."

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8 Section 11. This Ordinance shall take effect thirty (30) days after its adoption.

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10
11 BOARD OF SUPERVISORS OF THE COUNTY
12 OF RIVERSIDE, STATE OF CALIFORNIA

13 By: _____
14 Chairman

15
16 ATTEST:
17 CLERK OF THE BOARD

18
19 By: _____
20 Deputy

21 (SEAL)

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