

ORDINANCE NO. 2006 - _____

AN ORDINANCE AMENDING CHAPTER 4 OF THE SOLANO COUNTY CODE RELATING TO ANIMALS AND FOWL TO ADD SECTION 4-25 PROHIBITING OPEN FIELD COURSING WITHIN SOLANO COUNTY

WHEREAS, open field coursing is a practice involving the use of dogs to flush out, chase, and often capture and kill rabbits, hares, and foxes; and

WHEREAS, an open field coursing event was recently held in Lagoon Valley, within the city limits of Vacaville in Solano County; and

WHEREAS, state law permits persons in possession of valid hunting licenses or permits to use coursing dogs to take rabbits, hares, and foxes but does not authorize the use of coursing dogs to take rabbits, hares, and foxes in any competitive activity; and

WHEREAS, state law further permits property owners to use coursing dogs to take rabbits, hares, and foxes that are injuring growing crops or other property; and

WHEREAS, open field coursing is neither expressly permitted, regulated, nor prohibited by state law in California; and

WHEREAS, the Board of Supervisors finds that the practice of open field coursing will often subject rabbits, hares, and foxes to an unnecessarily cruel and painful death; and

WHEREAS, the Board of Supervisors finds that the practice of open field coursing poses a significant threat to the health, safety, and welfare of wildlife, domestic animals, and persons; and

WHEREAS, the Board of Supervisors seeks to prohibit the practice of open field coursing within Solano County.

The Solano County Board of Supervisors ordains as follows:

Section 1. Section 4-25 of the Solano County Code is added as follows:

““Sec. 4-25. Open Field Coursing

(a) For purposes of this section, “open field coursing” shall mean and include any activity in which one or more dogs are left untethered and allowed to track, hunt, pursue, or capture or attempt to track, hunt, pursue, or capture any rabbit, hare, or fox and that results in the injury or death of the rabbit, hare, or fox.

(b) Any person who knowingly engages in open field coursing within Solano County, whether on private or public land, is guilty of a misdemeanor punishable by imprisonment in the county jail for a period not to exceed six (6) months, by a fine not to exceed one thousand dollars (\$1,000), or by both that imprisonment and fine.

(c) Nothing in this section shall prohibit or affect:

(1) The use of dogs in the management of livestock, as defined by Food and Agriculture Code section 14205, by the owner of the livestock or the owner’s employees or agents.

(2) The use of dogs to take animals injuring growing crops or other

property, as set forth in Fish and Game Code section 4152, by the owner of the property or the owner's employees or agents.

(3) The use of dogs in hunting as permitted by and as subject to the Fish and Game Code, including, but not limited to, Sections 2000, 3007, 3502, 4002, and 4756, and by the rules and regulations of the California Fish and Game Commission.

(4) The training of dogs for any purpose not prohibited by law; provided, however, that when training dogs by means of open field coursing it shall be a violation of this section to permit more than one dog to track, hunt, pursue, capture, or kill or attempt to track, hunt, pursue, capture, or kill any rabbit, hare, or fox at any given time and place."

Section 2. In the event of any conflict between any provision of this ordinance and any law or regulation, the conflicting provision of this ordinance shall be deemed superseded and severed and all remaining portions of this ordinance shall remain in full force and effect.

Section 3. This ordinance shall be effective thirty (30) days after its adoption.

Section 4. A summary of this ordinance will be published within fifteen (15) days after its adoption in a newspaper of general circulation in Solano County.

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Passed and adopted by the Solano County Board of Supervisors on _____, 2006 by the following vote:

AYES: Supervisors
NOES: Supervisors
EXCUSED: Supervisors

John Vasquez, Chairman
Solano County Board of Supervisors

Attest:
Michael D. Johnson, Clerk
Board of Supervisors

By: _____
Patty Crittenden, Chief Deputy Clerk

Introduced: _____, 2006
Adopted: _____, 2006
Effective: _____, 2006