



First Reading of Proposed Ordinance Revisions

September 14, 2021



Reasons for Proposed Revisions

- Current Code has not had a full and thorough review and revision since October 2009.
- Key Considerations
 - Update to reflect current animal welfare and enforcement terminology.
 - Streamline processes to be more efficient and meaningful.
 - Implement changes that will positively impact our communities and clarify rules and regulations to promote code compliance



Non-Substantive Technical Corrections

1. Amend Terminology for Pound and Poundmaster
2. Expand Terminology from Sheriff to Peace Officer
3. Formatting and Consolidation of Sections
4. Reference to Issuance of Administrative Citations for Non-Compliance
5. Clarify Hearing Process for Revocation of Breeding Permit
6. Revise Age Requirement for Persons to Request Isolation of Biting Animals
7. Expand Notice Options for Impound Animals
8. Update of Various Other Code Definitions
9. Temporary Permit for Inspection and Approval of Kennel Permit
 - One year temporary permit pending certificate from Ventura County Planning Division or current Business License



Substantive Revisions

1. Sec. 4424--Spay/Neuter Violation Penalty Amount

- Standardize penalty amount to be consistent with other types of Code violations as stipulated in Rates and Fees
- Current penalty is “up to \$25.00 per day”
- Current Rates & Fees Violations: 1st = \$100; 2nd = Violation = \$200; 3rd or more = \$500

2. Sec. 4425—Requirements for Breeding Permit to Include Breeding Registry

- Current language allows for any pet owner to pay a \$100 annual fee for permit to breed any dog or cat creating loophole to intent of spay/neuter requirements.
- Revision would require that permit would only be issued to persons who own a dog or cat that is currently registered and in good standing with a domestic or foreign breeding registry.



Substantive Revisions

3. Sec. 4440—Protect Confidentiality of Adopting Party and Contact Information
 - New section intended to protect the confidential identity and contact information for persons adopting an animal from the shelter from a Public Records Act Request.
 - Intended to assure potential adopters that their information will not be available to third parties unless requested through legal process.

4. Sec. 4452—Prima Facia Evidence of Rabies Vaccine Non-Compliance
 - Proposed revision is to provide clarification that failure to provide a valid rabies vaccination certificate upon reasonable demand by VCAS is prima facia evidence of non-vaccination.



Substantive Revisions

5. Sec. 4467—Enhanced Barking Nuisance and Distinguished from Dog Aggression

- Revised “two resident” complainant requirement to provide for a single resident to file complaint if topography does not allow for two residents.
- Require evidence of barking/vocalizations with minimum thresholds of continuous barking for at least ten (10) minutes or intermittent barking for at least thirty (30) minutes.
- Section 4467-12: Implement citation model for barking nuisance instead of automatic Administrative Hearing (will further discuss in Section 4493-8.1)
- Section 4467-13: Three (3) or more barking citations will result in dog being deemed and animal nuisance and owner will be required to pay increased license fee for nuisance. If there are no additional citations within a two year period, owner may request that designation be removed.
- Section 4467-14: Transitional section to allow Director to employ administrative hearing or citation model based on contracted city needs until June 2022, at which time the administrative hearing process will be repealed.



Substantive Revisions

6. Sec. 4468-1—Clarification of Abandonment Period for Lost Animals

- Enhances the requirements and opportunity for a “finder” to report a found animal and retain in their possession until completion of thirty (30) day time period without having to bring the animal to the shelter for holding period.
- Previous process required “finder” to report animal to VCAS but there was no systematic way to provide that information to potential owner looking for their lost pet.
- Developed online lost/found pet reporting system that posts all animals on website.
- Does not replace “holding periods” if finder brings animal to shelter....simply allows finder to report and subsequently lawfully gain ownership of the animal if owner does not come forward.



Substantive Revisions

7. Sec. 4470 thru 4470-18—Adding of Potentially Dangerous and Vicious Dog Designation and Hearings
 - Added language to mirror the California Food and Agriculture Code (Secs. 31601 – 31683), thus allowing VCAS to directly address aggressive dog behaviors that may pose a public safety risk.
 - Provides option for VCAS to hold hearing or petition the superior court when aggressive incident meeting the threshold levels of injury or behavior have occurred and impose sanctions when deemed appropriate.
8. Sec. 4475—Clarification Regarding ACO Use of Tranquilizers or Weapons
 - Current code only specifies authority to carry and use weapons but does not specifically identify the use of tranquilizing equipment.



Substantive Revisions

9. Sec. 4486—Repeal of Provision Regarding Release of Wild Animals

- The current Code provisions are outdated and are no longer applicable.
- Societal recognition of the importance of wildlife being returned to their natural habitat (when appropriate) along with limited resources to fulfill this function have rendered this practice obsolete.

10. Sec. 4493—Expand Administrative Hearing Process for Citations to Include an Administrative Review

- Section 4493-8.1--Provides an opportunity to a citee to contest a citation without having to appear at a full hearing, bring witnesses, and pay hearing fees.
- Upon review, if the administrative official determines that citation should not stand, the citation will be vacated and the review fee will be refunded. If the administrative official believes that citation is warranted, the citee may with pay the citation or request a full administrative hearing for further review.
- Section 4493-8.5—Clarifies that an enforcement officer who issued the citation is not required to appear unless subpoenaed.



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