

ANIMALS

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REGULATIONS PERTAINING TO DOGS AND  
OTHER ANIMALS

Chapter 800  
REGULATIONS PERTAINING TO  
DOGS AND OTHER ANIMALS

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REGULATIONS PERTAINING TO DOGS AND  
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DIVISION ONE  
GENERAL

800-005 PURPOSE

The purpose of this Chapter is to provide for the health, safety, and general welfare of the citizens of the County of Sutter through disease control of animals as a public nuisance.

([224,365,425,488,509,598,724,729,1175,1179,1216,1230]Ord. 1287, Sec. 1; Aug. 3, 1999)

800-010 AUTHORITY

(a) Authority for this Chapter derives from applicable sections of the following California Codes: Business and Professions Code, California Code of Regulations, Civil Code, Fish & Game Code, Food and Agricultural Code, Government Code, Health and Safety Code and the Penal Code.

(b) The Board of Supervisors hereby appoints the Community Services Director who, under its direction, will oversee the administration of the provisions of this Chapter and all applicable statutes of the State of California and shall thereupon have charge of the public animal shelter established in Section 800-020. The Community Services Director shall employ Animal Control Officers as needed to carry out the provisions of this Chapter, which shall constitute Animal Control Services.

800-011 AUTHORITY AS PEACE OFFICERS

Animal Control Officers are not peace officers but may exercise the powers of arrest of a peace officer as specified in Penal Code Section 836 and the power to serve warrants as specified in Penal Code Sections 1523 and 1530 during the course of, and within the scope of their employment, after completing a course in the exercise of those powers pursuant to Penal Code Section 832.

800-012 UNIFORMS AND BADGES

(a) Animal Control Officers employed in Animal Control Services while engaged in the execution of their duties, shall each wear a uniform as determined by the Community Services Director.

(b) Animal Control Officers employed in Animal Control Services, while engaged in the execution of their duties, shall each wear in plain view a badge having the words, "Animal Control Officer" engraved thereon. No person who is not a duly appointed and qualified Animal Control Officer shall represent himself or herself to be, or shall attempt to act as an Animal Control Officer.

800-014 ENFORCEMENT

It shall be the duty of the Community Services Director to enforce the provisions of this Chapter, and it shall be the duty of every County officer to cooperate with employees of the Community Services Department in the enforcement of their duties related to this Chapter.

800-015 DUTY OF GENERAL PUBLIC

It shall be unlawful for any person to resist, hinder, molest, or obstruct any duly authorized representative of the Community Services Director in the performance of his or her duty as provided in this Chapter.

800-020 ESTABLISHMENT OF PUBLIC ANIMAL SHELTER

A public animal shelter is hereby provided and the same, and any branches thereof, shall be located and established at such places in the County of Sutter as shall be fixed from time to time by the Board of Supervisors.

800-021 DELIVERY TO ANIMAL CONTROL SERVICES

Every person taking up any animal under the provisions of this Chapter and every person finding any lost, strayed or stolen animal shall, within 24 hours thereafter, give notice thereof to Animal Control Services.

Any person into whose custody such animal may in the meantime be placed, shall be required to either:

(a) deliver such animal to Animal Control Services without fee or charge, or

(b) deliver such animal to a society for the prevention of cruelty to animals shelter, humane society shelter, or rescue group approved by, and registered with, the Community Services Department.

800-022 CARE OF ANIMALS BY ANIMAL CONTROL SERVICES

Animal Control Services shall provide all animals in their custody with necessary and prompt veterinary care, nutrition, and shelter, and treat them humanely.

800-023 DISEASED ANIMALS TO BE DESTROYED

Every animal taken into custody by Animal Control Services which, by reason of age, injury, disease or other good cause, should be destroyed, or which is dangerous to keep impounded, shall be forthwith destroyed by Animal Control Services in a humane manner.

([224,365,425,488,509,598,724,729,1175,1179,1216,1230]Ord. 1287, Sec. 1; Aug. 3, 1999)

800-030 PENALTY FOR VIOLATION

Any person, firm, corporation, partnership that willfully violates any of the provisions or fails to comply with any of the mandatory requirements of this Chapter is guilty of a misdemeanor or infraction, except that nothing contained in this ordinance shall be deemed to bar any legal or equitable remedy to which the County of Sutter or any other person, firm, corporation, partnership or governmental entity may have to restrain or enjoin any attempted or proposed violation of this Chapter.

([224,365,425,488,509,598,724,729,1175,1179,1216,1230,1287]  
Ord. 1376, Sec. 1; Jan. 13, 2004)

800-040 ANIMAL CONTROL POLICIES AND PROCEDURES

Animal Control Services shall maintain a manual of policies and procedures implementing this code and any other applicable Ordinances duly adopted by the County of Sutter. The manual of policies and procedures shall detail the records to be kept and the manner in which they are to be kept.

([224,365,425,488,509,598,724,729,1175,1179,1216,1230]Ord. 1287, Sec. 1; Aug. 3, 1999)

800-041 DEPOSIT OF FUNDS

Animal Control Services shall deposit all fees and all fines collected under the provisions of this Chapter with the County Treasurer in a timely manner.

800-050 DEFINITIONS

(a) "Assistance dogs" are dogs specially trained as guide dogs, signal dogs, or service dogs.

(b) "Nuisance" is anything which is injurious to health, or is indecent, or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property by a community or neighborhood, or by any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin or any public park, square, street, or highway.

(c) "Potentially dangerous dog" shall have the same definition as contained in Section 31602 of the Food and Agricultural Code.

(d) "Quarantine" as used in this section, means the strict confinement, upon the private premises of the owner, under restraint by leash, closed cage, or paddock, of all animals specified in the order for quarantine.

(e) "Rabies" as used in this chapter, includes rabies, and any other animal disease dangerous to human beings that may be declared by the State of California Health Department as coming under Health and Safety Code.

(f) "Ratproofing" shall consist of adequately covering or sealing all holes or means of ingress to such premises by which rats can enter in and upon such premises, save and except properly conducted constructed and protected doors, windows, and ventilating shafts. With regard to open land, ratproofing shall consist of eliminating the harborage of the rat population. All costs of eliminating rats and ratproofing shall be borne by the person owning or in lawful possession of the premises ratproofed or from which rats are to be eliminated.

(g) "Vicious dog" shall have the same definition as contained in Section 31603 of the Food and Agricultural Code.

800-090 SEVERABILITY

If any section, subsection, sentence, clause, phrase or portion of this Chapter is for any reason held invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions thereof.

[(224,365,425,488,509,598,724,729,1175,1179,1216,1230]Ord. 1287, Sec. 1; Aug. 3, 1999)

DIVISION TWO  
RABIES

800-100 DUTY TO REPORT

(a) It shall be the duty of any person having knowledge of the whereabouts of an animal showing symptoms of rabies or acting in a manner which would lead to a reasonable suspicion that it may have rabies, to report that fact immediately to the Health Officer, the Environmental Health Division, or Animal Control Services with full information about the animal.

(b) It shall be the duty of any person having knowledge of any person or animal that has been bitten by a rabid or suspected rabid animal, to report the incident immediately to the Health Officer, the Environmental Health Division, or Animal Control Services with full information about the incident.

(c) When either the Environmental Health Division, or Animal Control Services is notified pursuant to paragraphs (a) or (b) of this section, the information shall be reported immediately to the Health Officer and thereafter any directions from the Health Officer regarding the control of disease or other quarantine of any animals, or any other directions shall be carried out by Animal Control Services.

(1224,365,425,488,509,598,724,729,1175,1179,1216,1230)Ord. 1287, Sec. 1; Aug. 3, 1999)

800-101 RABIES INVESTIGATION

(a) When rabies are suspected the Health Officer shall make or cause an inspection or examination of such animal to be made by a licensed veterinarian until the existence or non-existence of rabies in such animal is established by such veterinarian. Such animal shall be kept isolated in a shelter, veterinary hospital, or other adequate facility in a manner approved by the Health Officer, and shall not be killed or released for at least ten (10) days after the onset of symptoms suggestive of rabies, after which time such animal may be released by the Health Officer.

(b) Upon presentation of proper credentials, duly authorized representatives of the Health Officer or Community Services Director, or any peace officer, may enter at reasonable times upon any premises where any dog or other animal is kept, or believed by him to be kept, for the purposes of taking up, seizing, or impounding any dog or other animal, for the purposes of ascertaining whether such dog or other animal is afflicted or infected with rabies or other contagious disease.

800-102 RABIES QUARANTINE

If rabies is known to exist within an area, the Health Officer may establish a rabies quarantine and shall define the boundaries of the quarantine area and specify the animals subject to quarantine, and all such animals within the quarantined area shall be kept in strict confinement upon the private premises of the owner, keeper, or harbinger at all times until the quarantine is terminated by the Health Officer.

800-103 FAILURE TO QUARANTINE OR PRODUCE ANIMAL

No person shall violate, after notice, any order of the Health Officer concerning the isolation or quarantine of an animal, or species subject to rabies, that has bitten or otherwise exposed a person to rabies; nor, after such order, fail to produce such animal upon demand of the Health Officer of his duly authorized representative.

800-104 ISOLATION OF RABID ANIMALS OR CLINICALLY SUSPECTED RABID ANIMALS

Any rabid animal, clinically suspected rabid animal, or biting animal shall be isolated in strict confinement as follows:

(a) In the Sutter County Animal Shelter, a veterinary hospital, or other adequate facility, under proper care and under the observation of a licensed veterinarian, in a manner approved by the Health Officer, and shall not be killed or released for at least ten (10) days after the onset of symptoms suggestive of rabies.

(b) At the discretion of the Health Officer, in a place and manner approved by the Health Officer and observed for at least fourteen (14) days (or 10 days for dogs and cats) after the day of infliction of the bite. As an alternative to the 10-day isolation of dogs and cats, dogs or cats which have been isolated in strict confinement in a veterinary hospital or other adequate facility, in a manner approved by the Health Officer, under proper care and under observation of a licensed veterinarian may be released from isolation by the Health Officer after five (5) days of veterinary observation if upon conducting a thorough physical examination on the fifth day or more after the infliction of the bite, the observing veterinarian certifies that there are no clinical signs or symptoms of any disease. Notwithstanding the foregoing provisions, the Health Officer may authorize, with the permission of the owner and other legal requirements permitting, the euthanasia of a biting animal for the purpose of laboratory examination for rabies using the florescent rabies antibody (FRA) test in an approved public health laboratory.

800-105 ISOLATION OF ANIMALS BITTEN BY A KNOWN RABID OR SUSPECTED RABID ANIMAL

Any animal of a species subject to rabies which has been bitten by a known rabid or suspected rabid animal or has been in intimate contact with a rabid or suspected rabid animal shall be quarantined in a place or manner approved by the Health Officer, for a period of six (6) months, or destroyed after ten (10) days from the onset of symptoms, with the exception that the following alternatives are permitted in the case of dogs and cats: