Contra Costa County

To: Board of Supervisors

From: INTERNAL OPERATIONS COMMITTEE

Date: May 23, 2017

Subject: REVISIONS TO ORDINANCE REGARDING ADMINSTRATIVE PENALTIES AND ANIMAL NOISE

RECOMMENDATION(S):

INTRODUCE Ordinance No. 2017-12, authorizing administrative penalties for barking dogs and noisy animals, WAIVE reading, and FIX June 6, 2017 for adoption.

FISCAL IMPACT:

The fiscal impact of the proposed ordinance cannot yet be determined. The administrative fines are for the dual purpose of mitigating additional expenses of enforcing the ordinance and deterring new and continuing violations of the ordinance. It is not expected that the administrative fines will be a significant source of revenue to the Animal Services Department.

BACKGROUND:

On December 6, 2016, the Board of Supervisors referred to the Internal Operations Committee (IOC) development of an ordinance to authorize administrative penalties for barking dogs and other noisy animals, and to limit the number of roosters on private property in the county unincorporated areas. After receiving feedback from Contra Costa County residents, the Animal Services Department (ASD) found that the current Dog Barking Ordinance was insufficient and needed to be strengthened. The ASD also found

☑ APPROVE ☐ OTHER

☐ RECOMMENDATION OF CNTY ADMINISTRATOR ☑ RECOMMENDATION OF BOARD COMMITTEE

Action of Board On: **05/23/2017** ☑ APPROVED AS RECOMMENDED ☐ OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: May 23, 2017

David Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Julie DiMaggio Enea
(925) 335-1077

By: June McHuen, Deputy

cc:

that the County lacks a Rooster Ordinance governing the number of roosters a resident could own. After researching ordinances around the Bay Area and the State, the Animal Services Director found that Orange and Solano Counties' noise ordinances had the best practices to serve their community needs around noisy animals.

BACKGROUND: (CONT'D)

The IOC reviewed the draft ordinance at its March and April meetings and chose to bifurcate the proposed ASD ordinance and recommend to the Board adoption of only the barking dog portion of the ordinance. The portion of the ordinance pertaining to the harboring of roosters will be addressed separately in the farm animal ordinance, which is still being developed by the Conservation and Development Department.

The noisy animal ordinance recommended for introduction today will prohibit the ownership or harboring of, on any premises within the unincorporated county area, a barking dog or other noisy animal, which is defined as an animal that makes noise -- incessantly for more than 30 minutes or intermittently for more than 60 minutes -- to the disturbance of any person, day or night. However, a dog that is being provoked or who is guarding against a trespasser on private property is not deemed noisy under the ordinance.

The ordinance, as modified, will provide administrative fines that the ASD can impose and collect to address new and continuing violations of the ordinance. The fine for a new violation will be $100. The fine will escalate to $200 for a second violation of the same section within one year, and to $500 for each additional violation of the same ordinance within one year. The ordinance will also provide an appeal process.

The IOC recommends introduction of the ordinance today and adoption on June 6, 2017.

ATTACHMENTS

Ordinance 2017-12_Animal Noise_Clean Version

Ordinance 2017-12_Animal Noise_Track Changes Version