

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 10.16 AND SECTION 10.12.010 OF CHAPTER 10.12 OF TITLE 10 OF THE MENDOCINO COUNTY CODE

The Board of Supervisors of the County of Mendocino ordains as follows:

SECTION I

Chapter 10.16 of Title 10 of the Mendocino County Code is amended to read as follows:

CHAPTER 10.16 - RABIES CONTROL

Sec. 10.16.010 - Authority and Purpose.

This Chapter is enacted for the purpose of the preservation of public health, safety, and welfare in connection with the protection of human beings from rabies.

The County Health Officer shall be responsible for supervising rabies control activities within the county in accordance with Chapter 1 (commencing with section 121575), Part 6, of Division 105 of the Health and Safety Code, Subchapter I (commencing with section 2500) of Chapter 4 of Title 17 of the California Code of Regulations, such other laws, rules and regulations relating to rabies control as may be enacted or promulgated by the State, and the policies and procedures established by the board. Animal Control and Animal Care Services shall cooperate with and assist the County Health Officer in carrying out any measures necessary for rabies control, including, but not limited to, quarantining of animals and complying with directives of the health officer.

Sec. 10.16.020 – Veterinarian Reporting Requirements

Every licensed veterinarian practicing veterinary medicine within the County of Mendocino shall submit to the Department of Animal Care Services one (1) copy of each rabies vaccination certificate issued.

Veterinarians may, in lieu of submitting individual certificates, submit proof of each rabies vaccination given to a dog to the Department of Animal Care Services, via electronic or U.S. Postal mail. The Department of Animal Care Services must approve the reporting format, and the records shall be submitted at least monthly.

SECTION II

Section 10.12.010 of Chapter 10.12 of the Mendocino County Code is amended to read as follows:

Sec. 10.12.010 - Dog Licenses.

(A) General Requirements.

- (1) Except as otherwise permitted, owners of dogs shall procure a valid Mendocino County dog license not later than thirty (30) days after the dog attains the age of four months or thirty (30) days after the dog comes into their possession. The licensing period shall be set by a Resolution of the Board of Supervisors, but in no instance shall a dog licensing period be for a term that exceeds the period for which the rabies vaccination is valid. The license renewal shall be procured not later than thirty (30) days after expiration of the previously issued license.
 - (2) Evidence of spaying and neutering when required shall be furnished by the owner and shall consist of certification from a licensed veterinarian. Any owner of the same dog so licensed may transfer a valid license and registration to another person.
 - (3) In the event that the State of California establishes a program for the licensing of dogs through an electronic tag/implant identification process, the electronic tag may be accepted in lieu of the physical tag.
 - (4) Except as otherwise permitted by California Health and Safety Code § 121690, no license or tag of any type shall be issued pursuant to this Chapter for any dog until a valid certificate of rabies vaccination is presented to the County agency responsible for the licensing program for each dog to be licensed.
 - (5) The current valid dog license tag shall be securely affixed to the dog's collar, harness or device and shall be worn at all times by said dog for whom the license registration is issued.
 - (6) Whenever a dog license tag is issued pursuant to this Chapter, the tag shall be issued for one-half or less of the fee required for a dog, if a certificate is presented from a licensed veterinarian that the dog has been spayed or neutered. The fee schedule shall be set by resolution of the Board of Supervisors.
 - (7) Any physically handicapped person using a dog as a recognized service animal or any person participating in any youth project for raising dogs for the physically handicapped and submitting documentary proof of such participation shall be issued a dog license without charge upon proof of a valid rabies vaccination.
 - (8) A dog owned and used exclusively for law enforcement purposes by a public agency requires a valid rabies vaccination and a valid dog license. The license requested shall be issued without charge upon documentary proof that such dog is certified for law enforcement activities only.
- (B) **License Forms and Tags.** The County agency responsible for the licensing program shall provide forms for the licenses required herein. Such licenses when completed, shall state the age, sex, color, and breed of the dog for which a license is requested and the name and physical address of the owner thereof. Upon completion of license form by the applicant, payment of the fees required and presentation of a valid certificate of rabies vaccination as required herein, the County agency responsible for the licensing program shall issue the necessary license tags which shall be of a durable material and bear the name "County of Mendocino" or "Mendocino County," and the number of the license tag.

- (C) **Notice to Public.** The County agency responsible for the licensing program shall at least semiannually, cause to be published in a newspaper of general circulation, a notice addressed to all persons who own or harbor dogs. Said notice shall state the amount of the license fee and the penalty for failure to pay within the time prescribed by this Chapter.
- (1) The County agency responsible for the licensing program is also authorized and may require businesses which sell pet food or pet supplies to permit the posting of a notice next to such items reminding pet owners to comply with County licensing regulations, rabies vaccination requirements and County Animal Control laws. These notices will be supplied and posted by the County.
 - (2) The County Purchasing Agent is hereby directed to purchase such notices and supplies.
- (D) **Late Procurement and Penalty.**
- (1) An owner of a dog failing to obtain the necessary license within the time frames established in this Chapter, shall, in addition to the license fee, pay a penalty. The penalty shall be set by a Resolution of the Board of Supervisors.
 - (2) Notwithstanding the preceding paragraph, Animal Care Services may establish a policy allowing the penalty to be waived or reduced by the Animal Shelter Director.
 - (3) An owner who initiates the licensing process and is unencumbered by outstanding licensing violations is not to be discouraged from voluntary compliance. No penalty fee shall be charged for failure to license under these circumstances.
- (E) **Nonresidents.** Licensing requirements for County residents shall not apply to nonresident owners of dogs who are temporarily within the County with their dog for thirty (30) days or less, nor to dog owners whose dogs are brought into the County to participate in any dog show, field trial, or tracking activity, providing said dogs have a current valid dog license and rabies vaccination from a city or county or state of origin.
- (F) **Tribal Jurisdictions.** Any contract for animal control services to be provided within the boundaries of a federally recognized Rancheria or reservation shall include a provision applying the County's licensing requirements to residents of said Rancheria or reservation. Any such contract shall require the tribal jurisdiction to adopt Title 10 of this code during the term of the contract. Licensing requirements shall apply to residents of federally recognized Rancherias or reservations when such a contract exists. .
- (G) **Imported Dogs.** Unless otherwise specified, when an owner brings into the County a dog that has a current and valid license in another jurisdiction of this State the owner shall, upon surrender of the license from the other jurisdiction, be issued a Mendocino County dog license at no charge. The owner shall procure their dog license(s) within thirty (30) days of obtaining residency. Said license shall be valid until the date of the license expiration from the other jurisdiction, or the rabies vaccination expiration date whichever comes first. After which the dog owner shall pay Mendocino County dog licensing fees.
- (H) **Lost Tags.** In the event a license tag issued to a dog is lost or destroyed, the owner shall within thirty (30) days thereafter procure a new license tag. If said owner shall fail to secure

a new license within thirty (30) days from the loss of said tags, said owner or owners shall be subject to fines and penalties as set forth by resolution by the County Board of Supervisors.

(I) **Prohibitions.**

- (1) Any person who secures, or evades securing a dog license, any type dog kennel license, vicious, or dangerous exotic animal permit any time by means of fraud or misrepresentation shall be guilty of a misdemeanor.
- (2) Any person who owns or harbors or keeps any dog and fails, neglects or refuses to attach and keep a valid current license tag affixed to said dog in the manner prescribed by this Title and State law is guilty of an infraction. Such unlawful conduct may also result in the impoundment of the dog.
- (3) Any person removing a dog license tag from any dog without the consent of the owner thereof, except in cases of emergency, is guilty of an infraction.
- (4) It is an infraction for any person to place a dog license tag on any dog for which the tag was not issued or place an imitation or false dog license tag on any dog.
- (5) Any person failing or refusing to show to the Animal Control Officer or peace officer the dog license tag or license certificate or rabies certificate for any dog upon request is guilty of an infraction.
- (6) It is an infraction to possess, own, keep or harbor any unlicensed dog or to maintain, conduct, or cause to be operated any unlicensed kennel, grooming shop/parlor, pet shop, commercial kennel and profit or nonprofit dog adoption agency.

(J) **Disposition of Funds.** All fees collected for the issuance of dog licenses and tag and all fines collected pursuant to this Chapter shall be paid into the County Treasury and shall be used for:

- (1) First, to pay costs of materials and supplies incurred in the issuance of dog licenses and tags.
- (2) Second, to pay fees, salaries, costs, expenses or any or all of them, for the enforcement of State laws and this Title pertaining to regulation, licensing and control of dogs.
- (3) Third, to pay damages to owners of livestock which are killed by dogs. Each such claim for damages must meet the requirements of Food and Agricultural Code Sections 30653, 30654 and 30655.
- (4) Fourth, to pay costs of any hospitalization or emergency care of animals pursuant to Section 597f of the Penal Code.

PASSED AND ADOPTED by the Board of Supervisors of the County of Mendocino, State of California, on this _____ day of _____, 2021, by the following roll call vote:

AYES:

NOES:
ABSENT:

WHEREUPON, the Chair declared the Ordinance passed and adopted and **SO ORDERED**.

ATTEST: CARMEL J. ANGELO
Clerk of the Board

Deputy

APPROVED AS TO FORM:
CHRISTIAN M. CURTIS,
County Counsel

DAN GJERDE, Chair
Mendocino County Board of Supervisors

I hereby certify that according to the provisions of Government Code section 25103, delivery of this document has been made.

BY: CARMEL J. ANGELO
Clerk of the Board

Deputy