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ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA,  
AMENDING RIVERSIDE MUNICIPAL CODE SECTION 8.02.010,  
AMENDING IN ITS ENTIRETY CHAPTER 8.18 OF THE  
RIVERSIDE MUNICIPAL CODE REGARDING KENNELS AND  
ADDING CHAPTER 8.21 REGARDING SPAY, NEUTER AND  
MICROCHIP.

The City Council of the City of Riverside, California, does ordain as follows:

Section 1: That Riverside Municipal Code section 8.02.010 is amended as follows:

**Section 8.02.010 Definitions**

For the purpose of this title, the following words and phrases shall have the meanings given herein:

“Abused dog” shall mean any dog which is mistreated, beaten, tormented or teased, or is deprived of water or food or shelter; or is kept under unsanitary conditions; or is abandoned; or is trained for fighting other animals;

~~“Animal Control Director” means the duly appointed and acting Director of the Department of Environmental Health of the County of Riverside. The title “poundmaster” as may be used in this title or this code shall mean the “Animal Control Director”;~~

*“Animal Control Director” means the duly appointed and acting Director of the Department of Animal Services for the County of Riverside, or the person duly appointed by the City Manager;*

“Animal control officer” means those duly appointed and acting deputies of the Animal Control Director assigned to provide animal control field services within the corporate limits of the City and enforce the provisions of this title, and shall include those positions entitled chief animal control officer, supervising animal control officer, senior animal control officer, animal control officer, animal control officer trainee, and license inspector. The title “deputy poundmaster” or “humane officer” as may be used in this title or this code shall mean “animal control officer”;

“Animals,” unless otherwise stated, includes birds, fish, mammals and reptiles;

“City animal shelter” means the Riverside City and County animal shelter. The term

“City pound” as may be used in this title or this code shall mean the “City animal shelter.”

1            ***“Department” shall mean and include those individuals that report to the Animal Control***  
2 ***Director;***

3            “Official police dog” means any canine trained for law enforcement purposes and used  
4 by the Police Department for such purpose, and so designated by the Police Chief by the  
5 issuance of distinguishing tags;

6            “Official police horse” means any equine used by a police officer for law enforcement  
7 purposes;

8            “Owner” means any person, firm or corporation having title to any animal, or a person  
9 who has, harbors, or keeps, or who causes or permits to be harbored or kept, an animal in his  
10 care, or who permits an animal to remain on or about his premises for a period of seven  
11 consecutive days;

12            ~~“Sentry dog” means a dog trained or purported to be trained to work without supervision~~  
13 ~~in a fenced facility and to deter or detain unauthorized persons found within the facility;~~

14            “Vicious dog” means any dog which constitutes a physical threat to a human being or  
15 any other domestic animal by virtue of a known propensity to endanger life by an unprovoked  
16 assault or bite so as to cause serious bodily harm. Any dog trained, primarily or in part, to attack or  
17 fight shall constitute prima facie evidence that the dog has a known propensity to endanger life. A  
18 dog shall not be deemed vicious if it: (1) attacks, bites or menaces anyone assaulting the owner of  
19 such dog, a trespasser on the property of the owner, or any person or other animal who has  
20 tormented or abused it; (2) is otherwise acting in defense of an attack from a person or other animal  
21 upon the owner or other person; or (3) is protecting or defending its young or other animal. A dog  
22 shall not be deemed vicious if it is an official police dog or a “protection dog” as defined by Section  
23 7521(f) of the Business and Professions Code if registered as required by Section 7550.2 of said  
24 Business and Professions Code.

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1           Section 2: That Chapter 8.18 is hereby amended in its entirety as follows:

2           **CHAPTER 8.18       RESIDENTIAL AND COMMERCIAL KENNELS**

3           *Sections:*

- 4                   8.18.010       Definitions.  
5                   8.18.020       Licensing of Residential Kennels and Residential Catteries  
6                   8.18.030       Denial, Suspension, Revocation and Appeal of Residential Kennel or  
7                               Residential Cattery License.  
8                   8.18.040       Licensing of Commercial Kennels  
9                   8.18.050       Development of Commercial Kennels  
10                  8.18.060       Enforcement

11           Section 8.18.010       Definitions.

12           *Unless it is apparent from the context that another meaning is intended, the following*  
13           *words, when used herein, shall have the meaning ascribed by this section:*

14           "Commercial Kennel" shall have the same meaning as "Kennel" as defined in Chapter  
15           19.910 Definitions, of the Municipal Code.

16           "Residential Cattery" means any building, structure, enclosure or premises located in a  
17           residential zone whereupon, or within which, ten (10) or more cats, four (4) months of age or  
18           older, are kept or maintained.

19           "Residential Kennel" means any building, structure, enclosure or premises located in a  
20           residential zone whereupon, or within which five (5) or more dogs, four (4) months of age or  
21           older, are kept or maintained.

22           Section 8.18.020       Licensing Of Residential Kennels and Residential Catteries.

23           A. No person shall operate or maintain a Residential Kennel or a Residential Cattery as  
24           those terms are defined in Section 8.18.010 of this Chapter without first obtaining an appropriate  
25           license from the Animal Control Director. Such license shall be valid for a period of either one  
26           (1) or two (2) years from the date of issuance, except that the Animal Control Director may, in  
27           his/her discretion, limit the duration of the license to one (1) year when he/she deems such  
28           limitation to be appropriate. Said license shall be renewed within thirty (30) days after the date of  
                expiration. The Residential Kennel license fees, and late fees if an application for a license is  
                made more than thirty (30) days after the date such license is required, shall be set forth by  
                resolution adopted by the City Council.

1           *B. Application for a Residential Kennel or a Residential Cattery license shall be filed with*  
2 *the Animal Control Director on a form prescribed by him or her not later than ten (10) days after*  
3 *obtaining written verification from the City of Riverside that the operation of the Residential*  
4 *Kennel or a Residential Cattery is in compliance with the applicable provisions of the Riverside*  
5 *Municipal Code. The application form, when completed, shall contain such information as may*  
6 *reasonably be required by the Animal Control Director for the purposes of enforcement of this*  
7 *chapter, including but not limited to the current home telephone number of the caretaker of the*  
8 *subject Residential Kennel or a Residential Cattery and another current telephone number for*  
9 *emergency use or messages when such caretaker is absent from the subject kennel or cattery.*  
10 *Where a Residential Kennel or a Residential Cattery is sought to be operated upon leased or*  
11 *rented premises, a letter of consent from the owner of the premises to the effect that the*  
12 *Residential Kennel or a Residential Cattery may be maintained and operated on such premises*  
13 *shall be submitted to the Animal Control Director at the time the application for the Residential*  
14 *Kennel or a Residential Cattery license is submitted.*

15           *C. After receipt of a Residential Kennel or a Residential Cattery license application, the*  
16 *Animal Control Director shall make an inspection of the premises of the Residential Kennel or a*  
17 *Residential Cattery for which a license is requested. No Residential Kennel or a Residential*  
18 *Cattery license shall be issued nor shall any such license be renewed, unless and until the*  
19 *Residential Kennel or a Residential Cattery, in the opinion of the Animal Control Director,*  
20 *satisfies the applicable laws and regulations of the state of California, the applicable sections of*  
21 *the Riverside Municipal Code and the applicable conditions set forth in the standards for kennels*  
22 *and catteries adopted by the City Manager.*

23           *D. Notwithstanding any other provision of this chapter, the Animal Control Director is*  
24 *authorized to enter upon and inspect the premises of any Residential Kennel or a Residential*  
25 *Cattery located in the city for the purpose of determining whether such kennel or cattery is in*  
26 *compliance with the provisions of this chapter and the standards for kennels and catteries*  
27 *referred to in subsection C of this section. As a condition of the issuance of a Residential Kennel*  
28 *or a Residential Cattery license, each owner and operator of a Residential Kennel or a Residential*  
*Cattery shall agree to allow such entry and inspection, and such agreement shall be made a part*  
*of the license application. Such inspections shall be made during reasonable hours at times when*

1 *the owner or operator of the Residential Kennel or a Residential Cattery is present on the*  
2 *Residential Kennel or a Residential Cattery premises, and with such frequency as the Animal*  
3 *Control Director shall deem appropriate, and such inspections may, at the discretion of the*  
4 *Animal Control Director, be made without prior notice to the owner or operator of the subject*  
5 *Residential Kennel or a Residential Cattery. Willful refusal on the part of a Residential Kennel or*  
6 *a Residential Cattery owner or operator to allow such inspection shall be grounds for summary*  
7 *denial of an application for a Residential Kennel or a Residential Cattery license or for summary*  
8 *suspension or revocation of a Residential Kennel or a Residential Cattery license.*

9 *E. A nonprofit corporation formed pursuant to the provisions of the California*  
10 *Corporations Code commencing with Section 10400, for the prevention of cruelty to animals,*  
11 *shall not be required to pay a fee for the licenses required by subsection A of this section for a*  
12 *Residential Kennel or a Residential Cattery; provided, however, that all other provisions of*  
13 *Chapter 8.18 and this section shall be applicable to any such nonprofit corporation.*

14 *F. Any person owning, keeping or maintaining five (5) or more dogs, or ten (10) or more*  
15 *cats prior to the date of the adoption of this code section, shall, for a period of twenty (20) years,*  
16 *be allowed to own, keep or maintain those specific animals that were properly licensed pursuant*  
17 *to Chapter 8.12 and which were owned, kept or maintained prior to the adoption of this section be*  
18 *exempted from the kennel or cattery license requirements of this section.*

19 *Section 8.18.030 Denial, Suspension, Revocation and Appeal of a Residential Kennel*  
20 *or a Residential Cattery License.*

21 *A. The Animal Control Director may, in his or her discretion, deny any application for a*  
22 *Residential Kennel or a Residential Cattery license whether such application is for an original*  
23 *license or renewal of a license, and may suspend or revoke any Residential Kennel or a*  
24 *Residential Cattery license if he or she finds that a kennel or cattery fails to meet any or all of the*  
25 *standards for Residential Kennels or a Residential Catteries referred to in this Section 8.18.020 or*  
26 *is in violation of any law of the state of California or any provision of this chapter, any provision*  
27 *of any other City code or provision of a conditional use permit.*

28 *B. When such denial, suspension or revocation occurs, the director shall prepare a*  
*written notice of such denial, suspension or revocation which shall contain a brief statement of*  
*the reason or reasons for such denial, suspension or revocation. The director shall serve such*

1 notice upon the applicant or licensee by hand-delivery or by registered or certified mail, postage  
2 prepaid, return receipt requested or by any overnight delivery service. Denial, suspension or  
3 revocation shall be effective thirty (30) days after service of such notice. Where an application for  
4 a Residential Kennel or a Residential Cattery license is denied or where a Residential Kennel or a  
5 Residential Cattery license issued pursuant to this chapter is revoked, no application for a new  
6 license for such Residential Kennel or a Residential Cattery shall be considered for a period of  
7 one (1) year from the effective date of such denial or revocation; provided, however, that for good  
8 cause shown the Animal Control Director may direct that there be a lesser period of time before  
9 such application will be considered.

10 C. Any person (appellant) whose application has been denied or whose license has not  
11 been renewed, or whose license has been suspended or revoked, may appeal such denial,  
12 nonrenewal, suspension or revocation by filing with the Animal Control Director or his/her  
13 designee within fifteen (15) days after notice of such denial, suspension or revocation, a written  
14 notice of appeal briefly setting forth the reasons why the appellant alleges such denial,  
15 nonrenewal, suspension or revocation is improper. The Animal Control Director or designee shall  
16 set a hearing date for the appeal and shall give written notice of the date, time and place of such  
17 hearing to the appellant, and such notice shall be sent by registered or certified mail, postage  
18 prepaid, return receipt requested. The date of hearing shall be not less than ten (10) days from the  
19 date of mailing of the notice of the date, time and place of the hearing, and the hearing shall be  
20 conducted not later than forty-five (45) days from the date of mailing of the notice of denial,  
21 nonrenewal, suspension or revocation; provided, however, that at the request of the appellant, the  
22 Director may extend the hearing date for a reasonable period beyond the aforementioned forty-  
23 five (45) day limit. The appeal shall be heard by an Administrative Hearing Officer as defined by  
24 section 1.17.020 of the Riverside Municipal Code and with the qualification and authority  
25 outlined in section 1.17.160, which may modify or reverse the denial, nonrenewal, suspension or  
26 revocation. Further, the Administrative Hearing Officer shall prepare a detailed written decision.  
27 In conducting the hearing, the Administrative Hearing Officer shall not be limited by the  
28 technical rules relating to evidence and witnesses, as applicable in courts of law. To be admissible,  
evidence shall be of the type upon which responsible persons are accustomed to rely in the  
conduct of serious affairs.

1           *During the pendency of the appeal, there shall be in effect an automatic stay of the denial,*  
2 *nonrenewal, suspension or revocation; provided, however, that during the period of pendency the*  
3 *Animal Control Director may take such action as he or she deems appropriate under this chapter*  
4 *or any other provision of law respecting the subject kennel or cattery, including but not limited to*  
5 *the abatement of public nuisances, inspection of the kennel or cattery premises, or the prosecution*  
6 *of any violation of the Riverside Municipal Code or any other provision of law not related to the*  
7 *failure of the subject kennel or cattery to be currently and otherwise validly licensed.*

8           *Any person aggrieved by the order of the Administrative Hearing Officer may obtain*  
9 *judicial review of that order by filing a petition for review with the Superior Court of Riverside*  
10 *County in accordance with the timelines and provisions set forth in California Code of Civil*  
11 *Procedure section 1094.6.*

12           *Section 8.18.040      Licensing of Commercial Kennels.*

13           *Every person owning or operating a Commercial Kennel shall pay to the City an annual*  
14 *license fee for such kennel. Such license fee shall be due and payable on the first day of January*  
15 *of each year, and said license shall be for the period of one year commencing on the first day of*  
16 *January. Failure to pay said license fee shall subject the Commercial Kennel to the enforcement*  
17 *provisions of this chapter, as well as revocation of the use permit issued under Title 19. The*  
18 *license fee, and late fees if an application for a license is made more than thirty (30) days after the*  
19 *date such license is required, shall be set forth by resolution adopted by the City Council.*

20           *Section 8.18.050      Development of Commercial Kennels.*

21           *All Commercial Kennels shall comply with all the provisions and requirement of Chapter*  
22 *19.270 of the Municipal Code. In addition, all Commercial Kennels shall be so constructed as to*  
23 *prevent dogs confined therein from running at large off the premises where said kennels are*  
24 *maintained. All Commercial Kennels shall be operated and constructed in a sanitary and proper*  
25 *manner so the same will not become a nuisance to the neighborhood in which such kennel is*  
26 *located.*

27           *Section 8.18.060      Enforcement.*

28           *The provisions of this chapter may be enforced through the administrative code*  
*enforcement remedies set forth in Chapter 1.17 of this code in addition to all other proceedings*  
*authorized by this code or otherwise by law.*

1           Section 3: That Chapter 8.21 is hereby added as follows:

2           **CHAPTER 8.21       SPAY, NEUTER AND MICROCHIP**

3           **Sections:**

- 4               8.21.010       *Spay and Neuter.*  
5               8.21.020       *Penalties for Failure to Spay or Neuter.*  
6               8.21.030       *Microchipping of dogs and cats.*

7           **Section 8.21.010       Spay and Neuter.**

8           A. 1. *Requirement. No person may own, keep, or harbor an unaltered and unspayed dog*  
9 *or cat over the age of four months in violation of this section. An owner or custodian of an*  
10 *unaltered dog must have the dog spayed or neutered, or provide a certificate of sterility, or obtain*  
11 *an unaltered dog license in accordance with this chapter. An owner or custodian of an unaltered*  
12 *cat must have the animal spayed or neutered, or provide a certificate of sterility.*

13           2. *Exemptions. This section shall not apply to any of the following:*

14               a. *A dog with a high likelihood of suffering serious bodily harm or death if*  
15 *spayed or neutered, due to age or infirmity. The owner or custodian must obtain written*  
16 *confirmation of this fact from a California Licensed Veterinarian. If the dog is able to be safely*  
17 *spayed or neutered at a later date, that date must be stated in the written confirmation; should this*  
18 *date be later than thirty (30) days, the owner or custodian must apply for an unaltered dog license.*

19               b. *A cat with a high likelihood of suffering serious bodily harm or death if*  
20 *spayed or neutered, due to age or infirmity. The owner or custodian must obtain written*  
21 *confirmation of this fact from a California Licensed Veterinarian. If the cat is able to be safely*  
22 *spayed or neutered at a later date, that date must be stated in the written confirmation.*

23               c. *Animals owned by recognized dog or cat breeders, as defined by*  
24 *Department policy.*

25           B. *Denial or revocation of unaltered dog license and reapplication.*

26           1. *The Animal Control Director or his/her designee may deny or revoke an*  
27 *unaltered dog license for one or more of the following reasons:*

28               a. *The owner, custodian, applicant or licensee is not in compliance with all*  
*of the requirements of this section;*

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1                   b. *The Department has received at least three complaints, verified by the*  
2 *Department, that the owner, custodian, applicant, or licensee has allowed a dog to be stray or run*  
3 *at large or has otherwise been found to be neglectful of his or her or other animals;*

4                   c. *The owner, custodian, applicant, or licensee has been previously cited*  
5 *for violating a State law, city code or other municipal provision relating to the care and control of*  
6 *animals;*

7                   d. *The unaltered dog has been adjudicated by a court or an agency of*  
8 *appropriate jurisdiction to be potentially dangerous, dangerous or vicious, or to be nuisance*  
9 *within the meaning of the Riverside Municipal Code or under state law;*

10                  e. *Any unaltered dog license held by the applicant has been revoked;*

11                  f. *The license application is discovered to contain a material*  
12 *misrepresentation or omission of fact.*

13                   2. *Re-application for unaltered dog license:*

14                  a. *When an unaltered dog license is denied, the applicant may re-apply for*  
15 *a license upon changed circumstances and a showing that the requirements of this chapter have*  
16 *been met. The department shall refund one-half of the license fee when the application is denied.*  
17 *The applicant shall pay the full fee upon re-application.*

18                  b. *When an unaltered dog license is revoked, the owner or custodian of the*  
19 *dog may apply for a new license after a thirty (30) day waiting period upon showing that the*  
20 *requirements of this chapter have been met. No part of an unaltered dog license fee is refundable*  
21 *when a license is revoked and the applicant shall pay the full fee upon re-application.*

22                   C. *Appeal of denial or revocation of unaltered dog license.*

23                   1. *Request for hearing.*

24                  a. *Notice of intent to deny or revoke. The Department shall mail to the*  
25 *owner, custodian, licensee, or applicant a written notice of its intent to deny or revoke the license*  
26 *for an unaltered dog which includes the reason(s) for the denial or revocation. The owner,*  
27 *custodian, licensee or applicant may request a hearing to appeal the denial or revocation by filing*  
28 *such request with the Animal Control Director and/or his/her designee. The request must be made*  
*in writing within fifteen (15) days after the notice of intent to deny or revoke is mailed. Failure to*

1 submit a timely written hearing request shall be deemed a waiver of the right to appeal the license  
2 denial or revocation.

3 b. *Administrative Hearing Officer.* Defined by code section 1.17.020 with  
4 the qualifications and authority outlined in code section 1.17.160.

5 c. *Notice and conduct of hearing.* The Animal Control Director or his/her  
6 designee shall mail a written notice of the date, time, and place for the hearing not less than ten  
7 (10) days before the hearing date. The hearing date shall be no more than forty-five (45) days  
8 after the Department's receipt of the request for a hearing. The hearing will be informal and the  
9 rules of evidence will not be strictly observed. The Administrative Hearing Officer shall prepare  
10 and mail a written decision to the owner or custodian after the hearing. The decision of the  
11 Administrative Hearing Officer shall be the final administrative decision.

12 d. *Judicial Review of Administrative Decision.* Any person aggrieved by the  
13 order of the Administrative Hearing Officer may obtain judicial review of that order by filing a  
14 petition for review with the Superior Court of Riverside County in accordance with the timelines  
15 and provisions set forth in California Code of Civil Procedure section 1094.6.

16 2. *Change in location of dog.* If the dog is moved after the department has issued a  
17 letter of intent to deny or revoke, but has not yet denied or revoked the license, the owner,  
18 custodian, licensee, or applicant must provide the department with information as to the dog's  
19 whereabouts, including the current owner or custodian's name, address, and telephone number.

20 D. *Transfer, sale, and breeding of unaltered dog or cat.*

21 1. *Offer for sale or transfer of unaltered dog.* An owner or custodian who offers  
22 any unaltered dog for sale, trade, or adoption must include a valid unaltered dog license number  
23 with the offer of sale, trade or adoption, or otherwise state and establish compliance with this  
24 section. An owner or custodian of an unaltered dog must notify the department of the name and  
25 address of the transferee within ten (10) days after the transfer. The unaltered license and  
26 microchip numbers must appear on a document transferring the animal to the new owner.

27 2. *Offer for sale or transfer of unaltered cat.* An owner or custodian of an  
28 unaltered cat must notify the department of the name and address of the transferee within ten (10)  
days after the transfer. The microchip numbers must appear on a document transferring the  
animal to the new owner.

1            *E. Impoundment of unaltered dog or cat.*

2            *1. When an unaltered dog or cat is impounded pursuant to state and/or local law,*  
3 *in addition to satisfying applicable requirements for the release of the animal, including but not*  
4 *limited to payment of impound fees pursuant to this chapter, the owner or custodian shall also do*  
5 *one of the following:*

6                    *a. Provide written proof of the dog or cat's prior sterilization, if conditions*  
7 *cannot or do not make this assessment obvious to Department personnel;*

8                    *b. Have the dog or cat spayed or neutered by a Department veterinarian at*  
9 *the expense of the owner or custodian. Such expense may include additional fees due to*  
10 *extraordinary care required;*

11                    *c. Have the dog or cat spayed or neutered by another California licensed*  
12 *veterinarian. The owner or custodian may arrange for another California licensed veterinarian to*  
13 *spay or neuter the animal, and shall pay to the Department the cost to deliver said animal to the*  
14 *chosen veterinarian. The cost to deliver the animal shall be based on the Department's hourly rate*  
15 *established by the auditor-controller. The veterinarian shall complete and return to the*  
16 *Department within ten (10) days, a statement confirming that the dog or cat has been spayed or*  
17 *neutered or is, in fact, incapable of breeding and shall release the dog or cat to the owner or*  
18 *custodian only after the spay or neuter procedure is complete;*

19                    *d. At the discretion of the Animal Control Director, the dog or cat may be*  
20 *released to the owner or custodian if he or she signs a statement under penalty of perjury,*  
21 *representing that the dog or cat will be spayed or neutered and that he or she will submit a*  
22 *statement within ten (10) days of the release, signed by a California licensed veterinarian,*  
23 *confirming that the dog or cat has been spayed or neutered or is incapable of breeding; or*

24            *2. Costs of impoundment.*

25                    *a. The owner or custodian of the unaltered dog or cat shall be responsible*  
26 *for the costs of impoundment, which shall include daily board costs, vaccination/medication, and*  
27 *any other diagnostic or therapeutic applications as provided in this chapter.*

28                    *b. The costs of impoundment shall be a lien on the dog or cat, and the*  
*unaltered animal shall not be returned to its owner or custodian until the costs are paid or other*  
*arrangements are made including, but not limited to, a payment plan. If the owner or custodian of*

1 *an impounded unaltered animal does not pay the lien against it in full within fourteen (14) days,*  
2 *the animal shall be deemed abandoned and become the property of the Department.*

3 *F. Application of fees and fines collected. All costs and fines collected under this part and*  
4 *the fees collected under this section shall be paid to the City of Riverside for the purpose of*  
5 *defraying the cost of the implementation and enforcement of this program.*

6 *Section 8.21.020 Penalties for Failure to Spay or Neuter*

7 *Penalties issued for failure to spay or neuter a dog or cat shall be enforced as set forth*  
8 *below:*

9 *A. An administrative citation, infraction, or other such authorized penalty may be*  
10 *issued to an owner or custodian of an unaltered dog or cat for a violation of this section only*  
11 *when the owner or custodian is concurrently cited for another violation under State or local law*  
12 *pertaining to the obligations of a person owning or possessing a dog or cat. Examples of such*  
13 *State law or local ordinance violations include, but are not limited to, failure to possess a current*  
14 *canine rabies vaccination of the subject dog; dog or cat at large; failure to license a dog; leash*  
15 *law violations; kennel or cattery permit violations; tethering violations; unhealthy or unsanitary*  
16 *conditions; failure to provide adequate care for the subject dog or cat in violation of the Penal*  
17 *Code; rabies quarantine violations for the subject dog; operating a business without a license*  
18 *and/or lack of State Tax ID Number; fighting dog activity in violation of Penal Code section*  
19 *597.5; animals left unattended in motor vehicles; potentially dangerous, dangerous or vicious*  
20 *animals; and noisy animals.*

21 *B. Should the owner or custodian of an unaltered dog or cat be found in violation of*  
22 *a State or local law, as stated above, in subsection (1), the owner or custodian shall be required to*  
23 *spay or neuter the unaltered animal in accordance with this section.*

24 *Section 8.21.030 Microchipping of Dogs and Cats.*

25 *A. All dogs and cats over the age of four (4) months must be implanted with an*  
26 *identifying microchip. The owner or custodian is required to provide the microchip number to the*  
27 *Department, and shall notify the Department of any change of ownership of the dog or cat, or any*  
28 *change of address or telephone number. Nothing in this section supersedes, eliminates, or alters*  
*the requirements of Sections 8.12.010, 8.18.020, and any other licensing requirements of Title 8.*

1           *B. Exemptions. The mandatory microchipping requirements shall not apply to any of the*  
2 *following:*

3                     1. *A dog or cat with a high likelihood of suffering serious bodily injury, if*  
4 *implanted*  
5 *with the microchip identification, due to the health conditions of the animal. The owner or*  
6 *custodian must obtain written confirmation of that fact from a California licensed veterinarian. If*  
7 *the dog or cat is able to be safely implanted with an identifying microchip at a later date, that date*  
8 *must be stated in the written confirmation.*

9                     2. *A dog or cat that is kenneled or trained in the City of Riverside, but is owned by*  
10 *an individual that does not reside in the City of Riverside. The owner or custodian must keep and*  
11 *maintain the animal in accordance with the applicable laws and ordinances of the jurisdiction in*  
12 *which the owner or custodian of the animal permanently resides, including but not limited to the*  
13 *applicable licensing and rabies vaccination requirements of that jurisdiction.*

14                     3. *A dog or cat over the age of ten (10) years.*

15           *C. Transfer, sale of dogs and cats.*

16                     1. *An owner or custodian who offers any dog, over the age of four (4) months, for*  
17 *sale, trade, or adoption must provide the microchip identification number and the valid dog*  
18 *license number with the offer of sale, trade or adoption. The license and microchip numbers must*  
19 *appear on a document transferring the dog to the new owner. The owner or custodian shall also*  
20 *advise the Department of the name and address of the new owner or custodian in accordance with*  
21 *subdivision (a) of this section. An owner or custodian who offers any dog, over the age of four (4)*  
22 *months, for sale, trade, or adoption and fails to provide the Department with the name and*  
23 *address of the new owner, is in violation of this chapter and shall be subject to the penalties set*  
24 *forth herein.*

25                     2. *An owner or custodian who offers any cat, over the age of four (4) months, for*  
26 *sale, trade, or adoption must provide the microchip identification number with the offer of sale,*  
27 *trade or adoption. The microchip numbers must appear on a document transferring the cat to the*  
28 *new owner. The owner or custodian shall also advise the Department of the name and address of*  
*the new owner or custodian in accordance with subdivision (A) of this section. An owner or*  
*custodian who offers any cat, over the age of four (4) months, for sale, trade, or adoption and fails*

1 to provide the Department with the name and address of the new owner, is in violation of this  
2 chapter and shall be subject to the penalties set forth herein.

3 3. When a puppy or kitten under the age of four (4) months implanted with  
4 microchip identification is sold or otherwise transferred to another person, the owner or custodian  
5 shall advise the Department of the name and address of the new owner or custodian, and the  
6 microchip number of the puppy or kitten within ten (10) days after the transfer. If it is discovered  
7 that an owner or custodian has failed to provide the Department with the name and address of the  
8 new owner and the microchip number of the puppy or kitten, the owner or custodian shall be  
9 subject to the administrative remedies set forth in Chapter 1.17.

10 D. When an impounded dog or cat is without microchip identification, in addition to  
11 satisfying applicable requirements for the release of the animal, including but not limited to  
12 payment of impound fees pursuant to this chapter, the owner or custodian shall also do one of the  
13 following:

14 1. Have the dog or cat implanted with a Department microchip by a Department  
15 registered veterinarian technician or veterinarian or designated personnel at the expense of the  
16 owner or custodian;

17 2. Have the dog or cat implanted with a department approved microchip by a  
18 California licensed veterinarian. The owner or custodian may arrange for another California  
19 licensed veterinarian to perform the implant, and shall pay to the department the cost to deliver  
20 the dog or cat to the chosen veterinarian. The veterinarian shall complete and return to the  
21 Department within ten (10) days, a statement confirming that the microchip has been implanted,  
22 provide the Department with the number and shall release the dog or cat to the owner or  
23 custodian only after the procedure is complete; or

24 3. At the discretion of the Animal Control Director, the dog or cat may be released  
25 to the owner or custodian if he or she signs a statement under penalty of perjury, representing  
26 that the dog or cat will be implanted with a microchip and that he or she will submit a statement  
27 within ten (10) days of the release, signed by a California licensed veterinarian, confirming that  
28 the dog or cat has been so implanted and provide the microchip number to the Department or  
allow the Department to scan the dog or cat for the microchip to verify.

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*E. Fees for microchip identification device. The fee for an identifying microchip device shall be included in the cost of adoption when adopting a dog or cat from an animal shelter operated by the Department. If an animal has already been implanted with an identifying microchip device by some other facility, there will be no fee to have the identification microchip number entered into the Department's registry as required by subdivision (A) of this section.*

*F. Application of fees and fines collected. All costs and fines collected under this part and the fees collected under this section shall be paid to the City of Riverside for the purpose of defraying the cost of the implementation and enforcement of this program.*

Section 4: Based upon the facts and information contained in the written and oral reports, the City Council finds that the proposed Ordinance will not result in a direct or reasonably foreseeable indirect physical change in the environment and that the project is not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

Section 5: The City Clerk shall certify to the adoption of this ordinance and cause publication once in a newspaper of general circulation in accordance with Section 414 of the Charter of the City of Riverside. This ordinance shall become effective on the 30th day after the date of its adoption.

ADOPTED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_\_.

\_\_\_\_\_  
Mayor of the City of Riverside

Attest:

\_\_\_\_\_  
City Clerk of the City of Riverside

1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the  
2 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the  
3 \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, and that thereafter the said ordinance was duly and  
4 regularly adopted at a meeting of the City Council on the \_\_\_\_\_ day of \_\_\_\_\_,  
5 201\_\_\_\_, by the following vote, to wit:

6 Ayes:

7 Noes:

8 Absent:

9 Abstain:

10 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the  
11 City of Riverside, California, this \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_.

12 \_\_\_\_\_  
13 City Clerk of the City of Riverside  
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1 RESOLUTION NO.

2 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF  
3 RIVERSIDE, CALIFORNIA, AMENDING RESOLUTION NO.  
4 21960 RELATING TO FEES AND CHARGES FOR ANIMAL  
5 SERVICES.

6 WHEREAS, the City has the authority to impose fees under its police power under Article  
7 XI, §7 of the California Constitution and under its complementary powers under Section 37112 of  
8 the California Government Code and Section 200 of the Riverside City Charter; and

9 WHEREAS, the City has established a policy of recovering the full costs reasonably borne of  
10 providing special services of a voluntary and limited nature, such that general taxes are not diverted  
11 from general services of a broad nature and thereby utilized to subsidize unfairly and inequitably  
12 such special services; and

13 WHEREAS, in Chapter 3.30 of the Riverside Municipal Code, the City Council established  
14 its policy as to the recovery of costs and more particularly the percentage of costs reasonably borne  
15 to be recovered from users of City services and directing staff as to the methodology for  
16 implementing said Chapter 3.30; and

17 WHEREAS, the City wishes to amend Resolution No. 21960 by adding a fee for  
18 kennel/cattery licenses; and

19 WHEREAS, the fees and charges schedule relating to animal services needs to be adjusted to  
20 allow cost recovery of said services; and

21 WHEREAS, the City Manager – Finance Division has conducted a cost analysis and has  
22 determined the cost for staff time to process each annual kennel/cattery license fee.

23 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
24 Riverside, California, as follows:

25 Section 1: The Master Fees and Charges Resolution No. 21960, Attachment 3, is hereby  
26 amended to add the following:

27 Kennels

28 Residential kennel/cattery license fee - \$100/year

Commercial kennel/cattery license fee - \$500/year



# Exhibit "A"

## Riverside Fees and Charges Schedule

### Attachment 3

#### Dogs and Cats

Altered dog license - 1 year.....	\$16.00 each dog
Altered dog license- 2 year.....	25.00 each dog
Altered dog license - 3 year.....	35.00 each dog
Unaltered dog license - 1 year.....	\$100.00 each dog
Unaltered dog license - 2 year.....	175.00 each dog
Unaltered dog license - 3 year.....	250.00 each dog
Altered dog license - 1 year (senior citizen).....	\$10.00 each dog
Altered dog license - 2 year (senior citizen).....	15.00 each dog
Altered dog license - 3 year (senior citizen).....	20.00 each dog
Dog license late fee .....	\$25.00 each dog
Dog license late fee (senior citizen) .....	15.00 each dog
New resident dog license late fee .....	\$25.00 each dog
Transfer of ownership fee - dog .....	\$6.00 each dog
Dog license replacement tag.....	\$6.00 each dog
Cat license .....	\$9.00 each cat

#### Impound Fee

Impound fee - 1st offense within 1 year.....	\$40.00 per animal
Impound fee - 2nd offense within 1 year.....	90.00 per animal
Impound fee - 3rd offense within 1 year.....	150.00 per animal
Impound fee - altered/unable to produce dog owned by senior citizen.....	50 percent of offense
Impound fee - animal returned to owner by field officer .....	30.00 per animal
Boarding fee (per day or part thereof).....	\$15.00 per animal/per day

#### Quarantine Fee

Home quarantine fee .....	\$50.00 per animal
Quarantined animals - housed at a county shelter .....	\$5.00 per animal/per day + boarding fees
Dangerous animal registration - 1 year.....	\$250.00 per animal

#### Euthanasia and disposal Fee (owner request at shelter)

Dog - Euthanasia and disposal (owner request at shelter).....	\$25.00 each dog
Cat - Euthanasia and disposal (owner request at shelter) .....	25.00 each cat
Small Animal - Euthanasia and disposal (owner request at shelter).....	25.00 per animal

#### Owner turn-in Fee

Owner turn-in fee (animal picked up by field officer).....	\$30.00 per animal
Owner turn-in fee (animal turned in at the shelter) .....	20.00 per animal

#### Trap Fee

Trap service - first 5 days.....	\$20.00 first five days
Trap service - each day after initial 5 days.....	2.00 per day
Lost or destroyed traps .....	90.00 each

# Exhibit "A"

## Riverside Fees and Charges Schedule Attachment 3

### Microchip Fee

Microchip - implant at time of adoption.....	\$10.00 each animal
Microchip - implant at any other times other than adoption.....	20.00 each animal

### Adoption Fee

Adoption fee - dogs.....	\$95.00 each dog
Adoption fee - cats.....	75.00 each cat
Adoption fee - dogs (last chance adoption).....	10.00 each dog
Adoption fee - cats (last chance adoption).....	5.00 each cat
Senior citizen/disabled person adoption fee - dogs.....	65.00 each dog
Senior citizen/disabled person adoption fee - cats.....	45.00 each cat

Event fee - dogs.....	\$30.00 each dog
Event fee - cats.....	20.00 each cat

Recoupment of enforcement costs - hourly rate ..... \$53.00 per hour

Administrative fee - clearing violation of 6.08.280 within 10 days.....	\$60.00 per animal within 10 days
Administrative fee - clearing home quarantine violation within 10 days.....	50.00 per animal within 10 days

Hearing Appeal Processing fee for Potentially Dangerous/Dangerous Animals (6.16) ..... \$20.00 per animal

### **Public Spay and Neuter**

Spay and Neuter Fee - Dog.....	\$75.00 each dog
Spay and Neuter Fee - Cat.....	35.00 each cat

### **State Mandate Spay and Neuter**

Spay/neuter deposit - dog (State Mandate - Food/Agricultural Code 30503).....	\$40.00 each dog
Spay/neuter deposit - cat (State Mandate - Food/Agricultural Code 317513).....	40.00 each cat

### **Animals - General**

Animal redemption fee - 1st impound.....	\$40.00 per animal
Animal redemption fee - 2nd impound.....	90.00 per animal
Animal redemption fee - 3rd impound.....	150.00 per animal

Maintenance of swine, goats & sheep per day.....	\$12.00 per animal/per day
Maintenance of horses & cattle per day.....	20.00 per animal/per day
Maintenance of ponies per day.....	20.00 per pony/per day
Maintenance of fowl per day.....	5.00 per fowl/per day

### Impound Fees – horses, cattle, ponies, sheep, goats and adult swine

Impound Fee - Large animal (horse, cow, etc).....	\$75.00 per animal
Impound Fee - Medium animal (pig, sheep, etc).....	60.00 per animal
Impound Fee - Small animal.....	5.00 per animal
Impound Fee - After-Hours Charge.....	90.00 per animal

# Exhibit "A"

## Riverside Fees and Charges Schedule Attachment 3

### **Kennels**

Residential kennel/cattery license fee – 1 year.....	\$100.00
Commercial kennel/cattery license fee – 1 year.....	500.00

### **Fines**

Items below are Fines imposed by the County of Riverside or State of California

Fine - Failure to produce animal for immediate seizure  
after demanded by Hearing Officer.....\$100 - \$1000 per animal

#### State mandated - impound

Fine - State mandated unaltered fine - 1st impound  
(Food/Ag Code 30804.7 & 31751.7).....\$35.00 per animal

Fine - State mandated unaltered fine - 2nd impound  
(Food/Ag Code 30804.7 & 31751.7).....50.00 per animal

Fine - State mandated unaltered fine - 3rd impound  
(Food/Ag Code 30804.7 & 31751.7)..... 100.00 per animal

Fine - Violation of home quarantine, failure to produce animal  
for quarantine or interfering with rabies investigation –  
charge per day of violation.....\$100 - \$1000 or up to 1 year imprisonment, or both