

## County of Ventura's Proposed Ordinance - Mandatory Spay/Neuter for Pit Bulls

**County of Ventura****Addition to Chapter 4 (Animals) of Division 4 of the Ventura County Ordinance Code****Article 9 Spaying and Neutering of Pit Bulls****4700 Purpose and Applicability**

Pursuant to Health and Safety Code § 122331, no person shall own or keep a Pit Bull over the age of four months which has not been spayed or neutered, except as provided in Sec. 4720.

**4710 Definition**

1. For purposes of this section, "Pit Bull" is defined as any Staffordshire Bull Terrier, American Pit Bull Terrier or American Staffordshire Terrier breed of dog, or any mixed breed of dog which contains, as an element of its breeding, physical traits and distinguishing characteristics that conform to the standards of the above breeds as established by the American Kennel Club ("AKC") or United Kennel Club ("UKC") that identify it as partially of the breed of Staffordshire Bull Terrier or American Pit Bull Terrier or American Staffordshire Terrier. The AKC and UKC standards for the above breeds are listed on their websites as well as online through the Animal Service Department ("Department") website.
2. Determination of Breed. If an owner is unsure as to whether or not his unspayed and/or unneutered dog is a Pit Bull, he may make an appointment with the Department at which a Department staff member shall make a determination as to whether or not the dog is a Pit Bull. If the dog owner wishes to appeal the determination that the dog is a Pit Bull, within five business days of the staff member's determination he may request a hearing before the Department's Director or his designee. The informal hearing shall be held no more than 30 days after the Director receives the request. The decision of the Director or his designee is final.

**4720 Mandatory Spaying and Neutering of Pit Bulls: Exceptions**

No person may own, keep, or harbor any dog within the unincorporated area of the County of Ventura that the person in possession knew, or should have known, was a Pit Bull that has not been spayed or neutered unless:

1. The dog is under sixteen weeks of age;
2. It is a purebred Staffordshire Bull Terrier, American Pit Bull Terrier or American Staffordshire Terrier, recognized by and registered with the American Kennel Club (AKC), United Kennel Club (UKC), or other national registry;
3. It is a dog used by a law enforcement agency for law enforcement purposes;
4. It is a dog which is unable to be spayed or neutered without a high likelihood of suffering serious bodily harm or death due to age or infirmity and the owner of such dog provides to the Department written confirmation of the condition from a licensed veterinarian;
5. Determination of breed is under appeal pursuant to Section 4710.2.

County of Ventura's Proposed Ordinance - Mandatory Spay/Neuter for Pit Bulls

**4730 Penalties for Failure to Spay or Neuter Pit Bull**

Violation of Section 43.1 may result in the following penalties:

A first violation shall be an infraction punishable by a fine not to exceed \$100 plus administrative fees. Continued violation may result in additional fines up to \$500 and/or impoundment of the animal. In order for the owner to reclaim the Pit Bull from the Department, in addition to paying the fines and fees set out in this Section, one of the following must occur:

1. The Department shall have a veterinarian spay or neuter the dog. The dog owner shall pay a deposit of \$65 prior to the procedure and will be charged the fee for such services consisting of the actual expense incurred as established by the Department. There may be additional fees for any extraordinary care provided.
2. In the alternative, the owner shall arrange for another veterinarian within the County to spay or neuter and shall pay the Department's costs of delivering the dog to a vet of the owner's choosing. The Department shall deliver the dog to the vet, and the vet shall release the dog to the owner only after the spaying or neutering is complete.
3. At the discretion of the Director, or his designee, the Director may release the dog to the owner provided that the owner signs an affidavit that he will have the dog spayed or neutered within two weeks and will provide documentation verifying that the spaying or neutering occurred upon completion. If the owner fails to have his dog spayed or neutered as agreed in the affidavit, the Department shall have the authority to impound the dog, and the owner may be charged with a second violation.
4. In the event that the Director or his designee determines that payment of any fees by the owner of a dog which is impounded or otherwise taken into custody would cause extreme financial difficulty to the owner, the Director or his designee may, at his discretion, waive all or part of the fees necessary for compliance with this section.
5. The owner shall contact the Department within the first four days of the dog's holding period and pay all fees and fines toward its reclaim, or pursuant to Food & Agricultural Code Section 31454, the dog will be deemed to be abandoned.

**4740 Allocation of Fees and Fines Collected**

All fees and fines collected under Section 4730 shall be used only by the Department to fund the implementation and enforcement of the Department spaying/neutering program.