

FORM APPROVED COUNTY COUNSEL  
 BY: GREGORY P. PRIAMOS  
 DATE: 4/26/16

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
 COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

209



**FROM:** Department of Animal Services

**SUBMITTAL DATE:**  
 April 13, 2016

**SUBJECT:** Introduction of Riverside County Ordinance No. 878.1 Amending Ordinance No. 878, Regarding Noisy Animals – All Supervisorial Districts [\$0]

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Introduce and set for public hearing the adoption of Riverside County Ordinance No. 878.1, an amendment to Ordinance No. 878 regulating noisy animals;
2. Authorize the Clerk of the Board to place and advertisement for the Public Hearing in the appropriate local publications; and
3. Upon the close of the public hearing, adopt Ordinance No. 878.1.

**BACKGROUND:**

**Summary**

(Continued on page 2)

*Robert Miller*

Robert Miller  
 Director of the Department of  
 Animal Services

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost:	POLICY/CONSENT (per Exec. Office)
COST	\$ 0	\$ 0	\$ 0	\$ 0	Consent <input type="checkbox"/> Policy <input checked="" type="checkbox"/>
NET COUNTY COST	\$ 0	\$ 0	\$ 0	\$ 0	

**SOURCE OF FUNDS:**

Budget Adjustment: N/A  
 For Fiscal Year: N/A

**C.E.O. RECOMMENDATION:**

APPROVE:

*Jennifer L. Sargent*

County Executive Office Signature

Jennifer L. Sargent

**MINUTES OF THE BOARD OF SUPERVISORS**

- A-30
- 4/5 Vote
- Positions Added
- Change Order

Prev. Agn. Ref.: 9.2; 01/06/09

District: All

Agenda Number:

3-7

**SUBMITTAL TO THE BOARD OF SUPERVISORS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

**FORM 11:** Introduction of Riverside County Ordinance No. 878.1 Amending Ordinance No. 878, Regarding Noisy Animals – All Supervisorial Districts [\$0]

**DATE:** April 13, 2016

**PAGE:** Page 2 of 2

**BACKGROUND:**

**Summary (continued)**

Riverside County Ordinance No. 878 declares that excessive, unrelenting or habitual noise of any animal is disruptive of the public's peace and tranquility and represents an unwarranted invasion of privacy. Ordinance No. 878 declares such noisy animals to be public nuisances. Ordinance No. 878 also expedites the investigation of noisy animal complaints by establishing procedures for the proper notification to pet owners and administrative hearings that determine liability and impose abatement processes using administrative abatements.

The requested amendment to Section 11 of Riverside County Ordinance No. 878 will provide consistency of the completion and noticing of administrative orders arising out of Department of Animal Service regulations. In its current draft, Ordinance No. 878 requires the administrative hearing officer to notice the pet owner of the decision within three (3) business days of the hearing. The three day time period for consideration of the evidence presented, drafting the administrative abatement order and perfecting notice is inconsistent with the ten (10) business day time period granted by Riverside Ordinance No. 630 regulating dogs and cats and suppression of rabies, and Ordinance No. 771 controlling potentially dangerous and dangerous animals.

The Ordinance amendment has been reviewed and approved by County Counsel as to form.

**Impact on Citizens and Businesses**

The amendment to Ordinance 878 will benefit the public by providing additional time for thoughtful consideration of the evidence, perfecting notice to the pet owner and reducing confusion about the procedures following a Department of Animal Services administrative hearing. The public has a vested interest in providing sufficient time for the administrative hearing officer to issue a complete administrative abatement order and to reduce confusion due to the inconstant time periods found in Animal Service Ordinances. Unfortunately, increasing the time period from three (3) days to ten (10) days extends the period of uncertainty for the pet owners, but this concern is overcome by the benefits that the amendment will provide.

**SUPPLEMENTAL:**

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

N/A

**Enclosures**

Riverside County Ordinance 878.1

1 ORDINANCE NO. 878.1

2 AN ORDINANCE OF THE COUNTY OF RIVERSIDE

3 AMENDING ORDINANCE NO. 878

4 REGARDING NOISY ANIMALS

5  
6 The Board of Supervisors of the County of Riverside ordains as follows:

7 Section 1. Section 11 of Ordinance No. 878 is amended to read as follows:

8 “DETERMINATION AND ORDER. Within ten (10) business days after the  
9 conclusion of the hearing, the administrative hearing officer shall, by certified mail, return receipt  
10 requested and by posting upon the premises where the animal is kept, notify the Responsible Party of the  
11 administrative hearing officer’s determination and any orders issued. The order shall be called and  
12 administrative abatement order. If the administrative hearing officer determines that the animal is a Noisy  
13 Animal and the maintenance thereof, a public nuisance, the Responsible Party shall comply with the  
14 administrative hearing officer’s order within five (5) days after the date of mailing and posting of the  
15 determination and order. The decision of the administrative hearing officer shall be final.

16 Section 2. The ordinance shall take effect thirty (30) days after its adoption.

17  
18 BOARD OF SUPERVISORS OF THE COUNTY  
19 OF RIVERSIDE, STATE OF CALIFORNIA

20 By: \_\_\_\_\_

21 Chairman

22  
23 ATTEST:

24 KECIA HARPER-IHEM  
25 CLERK OF THE BOARD

26 By: \_\_\_\_\_

27 Deputy

28 FORM APPROVED COUNTY COUNSEL  
BY Kristine Bell-Valdez 4/26/14  
KRISTINE BELL-VALDEZ DATE