

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

**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
 BY: *Jennifer L. Sargent*
 County Executive Office Signature Jennifer L. Sargent

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Washington and duly carried by unanimous vote, IT WAS ORDERED that the above ordinance is approved as introduced with waiver of reading and is set for public hearing June 7, 2016 at 9:00 a.m. or as soon as possible thereafter.

Ayes: Jeffries, Tavaglione, Washington, Benoit and Ashley
 Nays: None
 Absent: None
 Date: May 17, 2016
 xc: Animal Services, COB

Kecia Harper-Ihem
 Clerk of the Board
 By: *Kecia Harper-Ihem*
 Deputy

Prev. Agn. Ref.: 9.2; 01/06/09 | District: All | Agenda Number:

3-7

Positions Added
 Change Order
 A-30
 4/5 Vote

Departmental Concurrence

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

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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

