

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



ITEM  
3.7  
(ID # 3300)

**MEETING DATE:**  
Tuesday, January 17, 2017

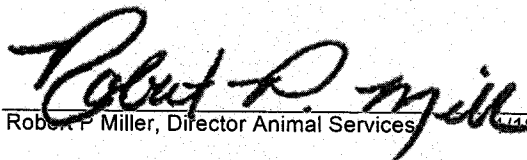
**FROM :** ANIMAL SERVICES:

**SUBJECT:** ANIMAL SERVICES: Introduction of Ord. 771.2 , amending Riverside County Ordinance No. 771 Controlling Potentially Dangerous and Dangerous Animals [Districts All] [\$0]

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

1. Introduce Ordinance No. 771.2, an Ordinance of the County of Riverside amending Ordinance No. 771 which regulates dangerous and potentially dangerous animals.
2. Find that Ordinance 771.2, is not a project under CEQA per CEQA Guidelines sections 15060(c)(2), 15060(c)(3) and 15378 and is otherwise exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) based on the findings and contained in the attached Notice of Exemption.
3. Direct the Clerk of the Board to submit the attached Notice of Exemption to the County Clerk for filing and posting within five (5) working days of the Board's adoption of the amendments to the ordinance.

**ACTION:** Policy

  
Robert P. Miller, Director Animal Services 1/18/2017


FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$0	\$0	\$0	\$0
NET COUNTY COST	\$0	\$0	\$0	\$0
SOURCE OF FUNDS: N/A			Budget Adjustment:	N/A
			For Fiscal Year:	N/A

**C.E.O. RECOMMENDATION:** [CEO use]

**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 matter is approved as recommended and that the above Ordinance is approved as introduced with a waiver of reading.

Ayes: Jeffries, Tavaglione, Washington and Ashley  
Nays: None  
Absent: None  
Date: January 17, 2017  
xc: Animal Services, COB

Kecia Harper-Ihem  
Clerk of the Board  
By:   
Deputy

**3.7**

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**BACKGROUND:**

**Summary**

Riverside County Ordinance No. 771 ("Ordinance") regulates the control of dangerous and potentially dangerous animals and currently includes language that has been removed from the authorizing statute and therefore must be updated.

Food and Agricultural Code section 31603 defined a vicious dog as including "Any dog seized under Section 599aa of the Penal Code and upon the sustaining of a conviction of the owner or keeper under subdivision (a) of Section 597.5 of the Penal Code." The definition required that all dogs owned or kept for the purposes of dog fighting be labeled vicious dogs without consideration to the dog's individual demeanor. Assembly Bill No. 1825, approved by the Governor on July 25, 2016, and effective on January 1, 2017 has removed this language. The amendment to Section 31603 requires that any dog that is seized be evaluated for behavioral issues and adoptability without consideration to an animal's dog fighting history.

Riverside County Ordinance 771 addresses the control of dangerous and potentially dangerous dogs by mirroring the language used to define vicious dogs in Food and Agricultural Code section 31603. The proposed amendment will remove the repealed statutory language from the ordinance.

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

The amendment to Ordinance No.771 is exempt from the provisions of CEQA specifically by the State CEQA Guidelines as identified below. The amendment is not a project pursuant to sections 15060(c)(2), 15060 (c)(3) and 15378 and is otherwise exempt from CEQA pursuant to CEQA Guidelines section 15061 (b)(3). The amendment only involves realigning the ordinance with the authorizing statute. The amendment will not have a physical effect on the environment and is not anticipated to result in any significant physical environmental impacts. Furthermore, Ordinance No. 771 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the ordinance will have a significant effect on the environment.

**Impact on Residents and Businesses**

N/A

**SUPPLEMENTAL:**

**Additional Fiscal Information**

N/A

**Contract History and Price Reasonableness**

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N/A

**ATTACHMENTS:**

**ATTACHMENT A. Ordinance 771.2**

**ATTACHMENT B. CEQA Notice of Exemption**

**ORDINANCE NO. 771.2**

**AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
AMENDING ORDINANCE 771 CONTROLLING  
POTENTIALLY DANGEROUS AND DANGEROUS ANIMALS**

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

Section 1. Section 2 of Ordinance No. 771, Vicious Dog, is amended to read as follows:

“Vicious Dog. Any dog which, when unprovoked, in an aggressive manner, inflicts injury on or kills a human being or animal.

Any Dog previously determined to be and currently listed as a potentially dangerous dog which after its owner or keeper has been notified of this determination, continues that behavior described in Section 31062 of the Food and Agricultural Code or in maintained in violation of Section 31641, 31642, or 31643 of the Food and Agricultural Code.”

Section 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY  
OF RIVERSIDE, STATE OF CALIFORNIA

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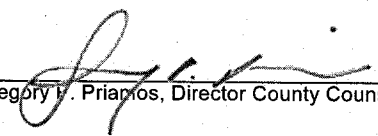
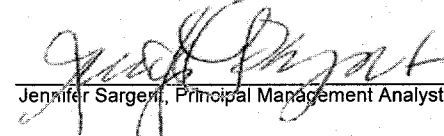
By: \_\_\_\_\_  
Chairman

ATTEST:

CLERK OF THE BOARD:

By: \_\_\_\_\_  
Deputy

(SEAL)

	
Gregory V. Priantos, Director County Counsel	Jennifer Sargent, Principal Management Analyst
1/10/2017	1/11/2017