

## MARIN COUNTY, CALIFORNIA

### Chapter 8.04 ANIMAL CONTROL

#### **Section 8.04.020 Definitions.**

For the purposes of this chapter, the following words and phrases are defined and shall be construed as hereinafter set forth unless it is stated a different meaning is intended.

- (a) “County” means the county of Marin
- (b) “Commercial animal establishment” means any location where the business of grooming, buying, selling, bartering, training, renting or boarding of dogs, cats, wild animals, domestic animals or fowl is conducted. This definition shall not apply to:
  - a. Buying or selling livestock for agricultural purposes;
  - b. Livestock establishments;
  - c. Buying and selling of dogs by dog hobbyists;
  - d. Buying and selling dogs by ranch dog permittees;
  - e. Business activities of a duly licensed veterinary hospital;
  - f. Training facilities where owners are trained to handle their own pets;
  - g. County designated animal services provider.
- (c) “Dog” means any animal that is a member of species canis familiaris four months old or older.
- (d) “Dog hobbyist” means any person who keeps, within or adjoining a private residence, four or more dogs for personal, recreational and noncommercial purposes who has secured a permit for such activity in accordance with the provisions of Section 8.04.245 of this chapter.
- (e) “Dog license” means the license required to be annually issued for each individual dog.
- (f) “Owner/guardian” means any person who has the legal responsibility and rights of an owner/guardian after keeping or harboring an animal for fifteen or more days, except a veterinarian or an operator of a kennel engaged in the regular practice of this business. The use of the word “guardian” for all legal intent and purposes has the same meaning and effect as the term “owner” with respect to all federal, state and county law, current and/or as modified.
- (g) “Licensed dog” means any dog for which the license for the current year has been issued and to which the tag is properly displayed.
- (h) (Ranch dog permittee” means any person who owns or keeps within or adjoining a residence, building, lot or area which is zoned for agricultural uses under Title 22 of this code, four or more dogs for personal, recreational or noncommercial purposes. (Ord. 3377 1 (part), 2003)

#### **Section 8.04.030 Licenses required – Periods.**

Every owner/guardian of a dog which is over the age of four months and which is kept in the county shall procure a license for each such dog, for each year, commencing with the date of the rabies vaccination of the dog and expiring the year following the date of issuance of such license. Such license shall be procured within thirty days after the day upon which the dog is four months old, or within thirty days after the day upon which the dog, if over the age of four months, is first obtained by a resident of the county and thereafter shall be maintained on a current basis from year to year. Dog owner/guardians may, with proof of multi-year rabies vaccination, choose to obtain licenses for one, two or three years, with final expiration to coincide with the expiration of the rabies vaccination. (Ord. 3377 1 (part), 2003)

### **Section 8.04.050 Confinement and quarantine.**

The owner/guardian of a quarantined animal shall pay a fee of thirty dollars toward the animal services costs in providing and insuring that the animal is properly quarantined. If any person fails or refuses to obey any lawful order for quarantine of an animal for rabies observation, any animal services officer may impound the animal for such quarantine at additional expense to the owner/guardian at the rate as may be established by separate ordinance of the board of supervisors. Quarantine fees are payable within thirty days of issuance of an invoice. Payment is delinquent if not received within sixty days. (Ord. 3377 1 (part), 2003)

### **Section 8.04.070 Delinquent license penalty.**

Any owner failing to procure and pay for such license within the period allowed in Section 8.04.030 of this chapter shall pay a delinquent penalty in the amount set forth by separate ordinance of the board of supervisors. The delinquent penalty may be waived where failure to pay is due to reasonable cause and circumstances beyond the control of the dog owner/guardian which shall be determined by the animal services agency or the county administrator's office. Any person dissatisfied with a determination denying waiver of the delinquent penalty shall be entitled to a hearing which shall be conducted pursuant to the provisions of Section 8.04.122 of this chapter. (Ord. 3377 1 (part), 2003)

### **Section 8.04.122 Hearings.**

The county administrator or designee, is authorized to conduct hearings in all cases authorized by the provisions of this chapter. Written notice of the time and place of the hearing shall be given to the animal owner/guardian at least ten days prior to the date set for hearing unless the animal owner/guardian expressly requests, in writing, that the hearing be set for an earlier date, and the animal services agency agrees to do so. Service of the notice shall be made in accordance with the provisions of Section 1.04.190 of this chapter. If the owner/guardian of the affected animal fails to appear at the hearing, the hearing shall nevertheless proceed, and an appropriate order shall be issued in accordance with the provisions of this chapter. (Ord 3377 1 (part), 2003)

### **Section 8.04.130 Disposition of animals by animal services agency.**

Except where otherwise provided in this chapter, the animal services agency shall keep any animal impounded for violation of the provisions of this chapter or relinquished for the period of time hereinafter specified and shall determine the final disposition of the same in accordance with the following provisions:

- (a) Unidentified Stray Animals. All impounded unidentified stray animals shall be held for redemption for five working days. The stray holding period shall not include the day upon which the animal was impounded, days the animal shelter is closed or holidays. At the end of the stray holding period, the animal services agency shall determine the final disposition of the animal, which may include adoption, redemption or euthanasia.
- (b) Identified Stray Animals. All impounded stray animals where an owner/guardian is known shall be held eight working days. The stray holding period shall not include the day upon which the animal was impounded, days the animal shelter is closed or holidays. At the end of the stray holding period, the animal services agency shall determine the final disposition of the animal, which may include adoption, redemption or euthanasia. The animal services agency shall notify the owner/guardian by mail at the last known address of the animal being impounded. Notice of impoundment shall be given to the animal owner/guardian within twenty-four hours of impoundment.
- (c) Release of Dogs. All dogs four months old and older shall be released to their owner/guardians with a current dog license. All cats four months old and older shall be released to their owner/guardians with proof of a current rabies vaccination.
- (d) Sterilization of Animals Released for Adoption. No dog or cat shall be released for adoption without being sterilized.
- (e) The animal services agency shall follow all laws of the State of California concerning holding periods and final disposition of animals. (Ord. 3377 1 (part), 2003)

### **Section 8.04.140 Redemption of impounded animals.**

Except where redemption is not permitted by this chapter, redemption of an impounded animal by the owner/guardian shall be made by exhibiting to the animal services agency proof of the owner/guardian's identity and any required license certificate, tag or other satisfactory proof of custody. All charges provided for under Section 8.04.150 of this chapter must be paid to the animal services agency prior to the animal being redeemed. If such animal is released to a person other than the owner/guardian, the owner/guardian of such animal may, at any time within thirty days, request the animal services agency to return the animal to the owner/guardian. All costs of impoundment, including charges for boarding, shall be collected prior to the animal being released to the owner/guardian. No person may redeem an animal under this section if he or she was given written notice of such impoundment by the animal services agency and failed for a period of eight days after the mailing of such notice to redeem such animal from impoundment. (Ord. 3377 1 (part), 2003)

### **Section 8.04.150 Fees for redemption, placement, surrender.**

- (a) Redemption Fees. No animal may be released by the animal services agency to the owner/guardian until all appropriate charges have been paid. The redemption fee for an impounded animal shall be established by separate ordinance of the board of supervisors.
- (b) Boarding Fees. The animal services agency shall collect boarding fees for dogs and cats as may be established by separate ordinance of the board of supervisors. Fees for livestock shall be collected pursuant to Section 8.04.220 of this chapter.
- (c) Veterinary Fees. The animal services agency shall collect all fees associated with veterinary care provided to any impounded animal.
- (d) Surrender. Animals surrendered by their owner/guardians subsequent to impoundment for a violation of this chapter or any provisions of state law shall not relieve the owner/guardian of the obligation to pay such charges as set forth by separate ordinance of the board of supervisors, prior to such surrender. (Ord. 3377 1 (part), 2003)

### **Section 8.04.160 Dogs running in certain public areas.**

It is unlawful for the owner/guardian or person having control of any dog to permit the same, under any circumstances, to run at large in any public parks, or in any public watershed area; and every dog found running at large in violation of the provisions of this section shall be immediately seized and impounded. Any duly authorized peace officer shall be entitled to take such other action as may be reasonably necessary for the protection of wildlife. (Ord. 3377 1 (part), 2003)