

TITLE 6
Animal Control

This title was most recently updated by the following ordinances:

Ordinance No.	Subject	Effective Date	Code Site
5531	Licensing Requirements for Dogs and Cats	November 11, 2010	Chapter 6.12

TITLE 6

ANIMAL CONTROL

Chapter: 6.04 General Provisions.

Chapter: 6.08 Care and Keeping of Animals.

Chapter: 6.12 Dogs.

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Chapter 6.04

GENERAL PROVISIONS

Sections:

6.04.010 Definitions.

6.04.020 Disposition of Funds Collected Under Title.

6.04.030 Police Animals.

6.04.040 Interference with Animal Control Duties.

6.04.010 Definitions.

Whenever in this Title the following terms are used, they shall be deemed and construed to have the meaning ascribed to them in this Section unless it is apparent from the context in which they appear that some other meaning is intended.

A. **FOWL.** Any chicken, turkey, goose, duck, pigeon, fancy pigeon, guinea fowl, pea fowl or poultry, but not a racing or homing pigeon.

B. **IMPOUNDED.** Having been received into the custody of the City or into the custody of the Animal Control Supervisor or an animal control officer.

C. **ISOLATION.** Confinement in such manner that the animal cannot bite any other animal or human being.

D. **KENNEL.** Any lot, building, structure, enclosure or premises whereon or wherein four (4) or more dogs are kept or maintained for any purpose.

E. **LEASH.** A rope, leather strap, or similar device intended to control a dog on a City street or public place and which is no longer than six feet (6').

F. **POLICE ANIMAL.** An animal which has been trained to perform official police duties and is in fact being used by a peace officer in the performance of official duties.

G. **RACING OR HOMING PIGEON.** A pedigree pigeon which is banded and kept for the purpose of racing or homing sporting events conducted by a nationally affiliated sporting association such as, but not limited to the American Racing Pigeon Union or the International Federation of Racing Pigeon Fanciers.

H. **UNLICENSED DOG.** Any dog for which the City license fee for the current year has not been paid by the current owner, or to which the tag provided for in this Title is not attached. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 2715 §1, 1959; prior Code §5.1.)

6.04.020 Disposition of Funds Collected Under Title.

All funds collected under the provisions of this Title shall be deposited to the credit of the City "General Fund", except that fees charged for vaccination at the dog vaccination clinics conducted by the County Health Officer may be retained by the veterinarian performing such vaccination; provided, that the veterinarian shall provide all materials and supplies necessary to perform the vaccination. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; prior Code §5.9.)

6.04.030 Police Animals.

A. RIGHT TO ENTER. Any public or private place at which a police officer has a lawful right to enter or be present in the performance of official police duties may be entered by any police animal.

B. PROHIBITION. It shall be unlawful for any person to willfully torture, tease, torment, beat, kick, strike, mutilate, injure, disable, or kill any police animal.

C. EXEMPTION. Police animals shall be exempt from the provisions of Section 6.08.020(B) while under the control of their handlers and in the performance of official police duties. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 4246, 1983.)

6.04.040 Interference with Animal Control Duties.

It shall be unlawful for any person to willfully resist, delay or obstruct any animal control officer or peace officer of the City of Santa Barbara in the discharge or attempt to discharge any duty imposed upon such officer pursuant to this Title or other provisions of the Municipal Code. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; prior Code Sec. 5.42.)

Chapter 6.08

CARE AND KEEPING OF ANIMALS

Sections:

- 6.08.010 Raising Rabbits, Chickens and Fowl.**
- 6.08.020 Animals Running at Large and Grazing Prohibited - Exception - Nuisance.**
- 6.08.025 Sanitation of Quarters.**

- 6.08.030 Disturbing the Peace.**
- 6.08.040 Public Nuisance.**
- 6.08.050 Abandonment of Animals.**
- 6.08.060 Keeping Livestock.**
- 6.08.070 Animals - Public Beaches and Harbor.**

6.08.010 Raising Rabbits, Chickens and Fowl.

A. GENERALLY. Except where two or fewer rabbits, chickens or fowl are kept as pets and not for commercial or breeding purposes, rabbits, chickens and other fowl may not be kept or raised unless in accordance with the following conditions:

1. No more than fifteen (15) rabbits, chickens or fowl, or any combination thereof, may be kept at any one time on any premises zoned pursuant to Title 28 of the Santa Barbara Municipal Code as R-4, R-3, R-2, R-1, E-3, or E-2.
2. No more than thirty (30) rabbits, chickens or fowl, or any combination thereof, may be kept at any one time on any premises zoned pursuant to Title 28 of the Santa Barbara Municipal Code as E-1, A-2 or A-1.
3. No more than one hundred (100) racing or homing pigeons may be kept at any one time on any premises within the City.
4. All rabbits, chickens, fowl or racing or homing pigeons shall be kept in cages, hutches or coops which shall be maintained in a clean and sanitary condition at all times. Any such cage, hutch or coop shall be located outside the front yard, as that term is defined in Section 28.04.710, and shall be located at least one hundred (100) feet from any property being used as a school, park, hospital or similar institution and at least thirty-five (35) feet from any dwelling unit or structure used for human habitation and located on an adjoining lot.

B. ROOSTERS. It shall be unlawful to keep or maintain a rooster. (Ord. 5459, 2008; Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985.)

6.08.020 Animals Running at Large and Grazing Prohibited - Exception - Nuisance.

A. **ANIMALS AT LARGE.** It is unlawful for any person owning or having possession, charge, custody or control of any animal, to cause or permit or allow the same to stray or run, or in any other manner to be at large in or upon any unenclosed lot or place. Whenever an animal is found running at large, the same shall constitute prima facie evidence that the owner permitted it to run at large. It shall likewise be unlawful for any person owning or having possession, charge, custody or control of any animal to cause or permit or allow the same to be staked out, or to herd or graze any animal upon any unenclosed private lot or land in such a manner that the rope or other attachment by which such animal is tethered may permit such animal to be or to go beyond the boundaries of the unenclosed private lot or land. Any animal, suffered or permitted to be at large, or otherwise to be within the City in violation of the provisions of this Title, is declared to be a public nuisance.

B. **DOGS IN PUBLIC.** No dog is permitted upon a street or other public place unless on a leash not in excess of six (6) feet in length and under the immediate care and control of the owner or other person having the care and custody thereof, except during supervised dog training classes, shows or exhibitions held in City Parks when authorized by a Park Use Permit issued by the Parks and Recreation Department.

C. **OFF LEASH DOG AREAS IN CITY PARKS AND BEACH.** Notwithstanding anything in this section to the contrary, properly licensed and tagged dogs without vicious, dangerous or aggressive propensities and which are healthy and not in heat may be exercised off-leash within the areas designated in paragraph C(2) if under the care, custody or control of a person responsible for the off-leash dog.

1. **Responsible Person.** A person having possession, charge, custody or control of the off-leash dog must remain present with the off-leash dog at all times, must carry a leash, must leash the dog at the first sign of aggression, must clean up dog feces created by the dog, and bears full responsibility for filling any holes and repairing any damage created by the dog. The person responsible for the off-leash dog must comply with rules and regulations regarding the park, and must remove the dog when the off-leash dog park is closed.

2. **Off-Leash Dog Areas.** Dogs may be exercised off-leash in the following areas:

- Douglas Family Preserve, within the area posted by the Parks and Recreation Director in accordance with the resolution adopted by the City Council.
- Elings Park, subject to the rules and regulations of the operator of the park.
- Hale Park.
- On the beach from the Shoreline Park Staircase west to the eastern edge of the Arroyo Burro Estuary.

D. **PENALTIES FOR VIOLATION.** Any violation of this Section will be charged and prosecuted as an infraction. If the person charged hereunder has been previously convicted of violating this Section and the animal at large bites, attacks or causes injury to any person or other animal, the violation of this Section may be charged and prosecuted as an infraction or a misdemeanor in accordance with Section 1.28.010 of this Code. The Animal Control Supervisor and all animal control officers, park rangers and police officers shall have the duty and the authority to enforce this Section. (Ord. 5323, 2004; Ord. 5218, 2002; Ord. 5049, 1998; Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3744, 1975.)

6.08.025 Sanitation of Quarters.

It shall be unlawful for any person to own or maintain any cage, hutch, aviary, place, property or area in which any animal is kept in an unsanitary manner due to the accumulation of feces, urine, uneaten food or other matter that is harmful to the health, safety or welfare of the animal, other animals or any human being. Any feces, uneaten food, or other matter that emits an offensive odor or encourages the breeding of flies or other insects shall be collected daily and not allowed to accumulate. (Ord. 5218, 2002; Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3744, 1975; Ord 2715 §2, 1959; prior Code §5.3.)

6.08.030 Disturbing the Peace.

It is hereby declared to be a public nuisance, and it shall be unlawful for any person to keep, maintain or permit upon any lot or parcel of land under his control, any animal which, by any loud, unnecessary or repeated barking, sound, cry or other noise, shall unreasonably disturb the peace and comfort of any neighborhood. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 4078, 1980; Prior Code §5.5.)

6.08.040 Public Nuisance.

Any animal, domesticated or otherwise, which in the opinion of the Animal Control Supervisor or designated animal control officer has a propensity towards viciousness or ferocity, and has shown a capacity for attacking persons, animals or property, may be declared a public nuisance by the Animal Control Supervisor or designated animal control officer. The City, or any resident thereof, in his or her own name, may maintain an action in equity to abate such nuisance and to enjoin the owner of such animal from permitting it to remain a menace to the public. Upon the granting of equitable relief, in whole or in part, by a court of competent jurisdiction, the owner of an animal determined to be a public nuisance shall be liable for the reasonable attorney fees and costs, as may be determined by the court, incurred by the party bringing the action. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985.)

6.08.050 Abandonment of Animals.

It shall be unlawful for any person owning or having the care and custody of any animal to abandon said animal within the City. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Prior Code §5.6.)

6.08.060 Keeping Livestock.

Except as otherwise provided in Title 28 of this Code relating to the permitted uses in one-family residential zones, it shall be unlawful for any person to keep any cow, calf, hog, sheep, goat or any other cloven-footed animal on any lot less than one and one-half (1 1/2) acres in size. In addition, no such animals, nor any pen, stable, barn or corral shall be kept or maintained within thirty-five feet (35') of any property line, dwelling or other building used for human habitation. (Ord. 4621, 1990; Ord. 4517, 1988; Ord. 4460, 1987; Ord. 4346, 1985; Prior Code §5.13.)

6.08.070 Animals - Public Beaches and Harbor.

A. PROHIBITION. It shall be unlawful for any person owning or having possession, charge, custody or control of any animal to cause or permit or allow the same, whether or not on leash or restraint, to be upon a beach or within the Santa Barbara Harbor except that:

1. Dogs are permitted on the beach at any point between Shoreline Park staircase and the westerly City limits subject to the provisions of Section 6.08.020; or
2. Horses are permitted on the beach at any point between Lighthouse Point and the westerly City limits if restrained in conformance with the provisions of Section 6.08.020; or
3. Horses may be allowed within sponsored parades on the beach between the eastern City Limits and Stearns Wharf, between sunrise and 11:00 a.m. except on Sundays or holidays recognized by the City, if the parade sponsor holds both a special event permit from the Police Department according to Chapter 9.12 and a Parks and Recreation Department use permit according to Chapter 15.05, if restrained in conformance with the provisions of Section 6.08.020.

For the purposes of this Section, the Harbor is defined as an area circumscribed on the west by the westerly edge of the breakwater and the easterly edge of Harbor Way, on the south by a straight line between the seaward end of the Breakwater and the seaward end of Stearns Wharf, on the east by the westerly edge of Stearns Wharf, and on the north by Cabrillo Boulevard not to include any sidewalk adjacent thereto. It shall include all marinas, wharves, docks, the breakwater, lawns, buildings, sidewalks and parking lots, but not boats.

B. EXCEPTIONS. This Section shall not apply to:

1. The owners of boats in the Harbor who are crossing the docks and landward areas of the Harbor to reach their boats or leave the Harbor with their dogs on leash and under their control.
2. Any blind person owning or having possession, charge, custody or control of a guide dog.
3. A police animal. (Ord. 5323, 2004; Ord. 4968, 1996; Ord. 4943, 1996; Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 4067, 1980; Ord. 3828, 1976; Ord. 3744, §7, 1975; Ord. 3597, 1973.)

Chapter 6.12

DOGS

Sections:

6.12.010	Dogs Prohibited in De la Guerra Plaza.	6.12.080	Vaccination Certificate - Prerequisite to Issuance.
6.12.020	Dogs Creating Nuisance on Beaches, in Public Parks and on Sidewalks.	6.12.100	Kennel License - Requirements.
6.12.030	Vicious Dog - Defined.	6.12.110	Kennel Fees - Licensed Dogs May Be Excluded.
6.12.040	Vicious Dogs - Disposition.	6.12.120	Official Tag - Issuance.
6.12.050	Dog License Requirement.	6.12.130	Absence of Official Tag - Presumption.
6.12.055	Unaltered Cat License Requirement.	6.12.140	Official Tag - Duplicates.
6.12.058	Special Fund – Unaltered License Surcharge.	6.12.150	Exemptions from Chapter.
6.12.060	Dog or Cat License Information.	6.12.160	Guard Dog.
		6.12.170	Dogs in Vehicles.

6.12.010 Dogs Prohibited in De la Guerra Plaza.

It shall be unlawful for any person owning or having possession, charge, custody or control of any dog to cause or permit or allow the same, whether or not on leash, to be upon the grass area known as De la Guerra Plaza.

This Section shall not apply to any blind person owning or having possession, charge, custody or control of a guide dog or to a police dog.

This Section shall not apply to participants in events issued a permit by the Parks and Recreation Director which permit specifically allows dogs upon De la Guerra Plaza. (Ord. 5150, 2000; Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 4067, 1980; Ord. 3828, 1976.)

6.12.020 Dogs Creating Nuisance on Beaches, in Public Parks and on Sidewalks.

No person owning or having custody or control of any dog shall knowingly or through failure to exercise due care or control permit such dog to defecate or commit any other nuisance and allow such nuisance to thereafter remain on any beach, in any public park, or other public property, upon the sidewalk or parkway of any street, or upon any private property which is improved or occupied, without the consent of the owner or person in lawful occupation thereof. A person shall not be considered in violation of this Section if the person has necessary equipment, i.e., shovel, bag, etc., readily available and does take immediate and necessary action to accomplish the removal of such nuisance.

This Section shall not apply to any blind person owning or having possession, charge, custody or control of a guide dog or to a police dog. (Ord. 4968, 1996; Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 4067, 1980; Ord. 3859, 1976.)

6.12.030 Vicious Dog - Defined.

The Animal Control Supervisor or designated animal control officer is authorized to determine whether a dog is vicious, and shall be guided by the following criteria: (1) whether or not the dog has bitten any person at any other time; (2) the circumstances surrounding the occasion indicating the temper or ferocity of the dog; (3) the reputation of the dog in the community with regard to its temper and ferocity; (4) its propensity to bite persons or animals without provocation or (5) its general menace to the public. The Animal Control officer need not consider whether the dog in question has been vaccinated and licensed as required by this Title. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; prior Code §5.18.)

6.12.040 Vicious Dogs - Disposition.

If it is determined by the Animal Control Supervisor or designated animal control officer that any dog impounded pursuant to Section 6.16.050 is a vicious dog, the Animal Control Supervisor or designated animal control officer may thereupon order the person who owns or has the custody of the dog to keep the dog at all times securely fastened by a chain, or securely con-fined in a manner determined by the Animal Control Supervisor or designated animal control officer, until further order of the Animal Control Supervisor or designated animal control officer. If, given the severity of the bite or the temper and ferocity of the dog, it is the opinion of the Animal Control Supervisor that the dog should be destroyed, the owner of the dog shall be notified of the decision by certified mail sent to the address listed on the license application. Upon receipt of the notice, the owner shall have five (5) calendar days to request a hearing before the Chief of Police or the designated representative. The decision of the Chief of Police or the designated representative shall be final. In the absence of a timely request for a hearing, the decision of the Animal Control Supervisor shall be final. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3488 §1, 1971; prior Code §5.17.)

6.12.050 Dog License Requirement.

A. Mandatory License Requirement – Altered Dogs. Any person owning or having custody or control of one or more dogs in the City shall obtain a license and pay the license fee for custody or control of each such dog over the age of four (4) months. The license fees authorized by this Chapter shall be established by resolution of the City Council, and such fees shall be set at a lesser amount for dogs which have been spayed or neutered. In the event the animal to be licensed has been spayed or neutered prior to the issuance by the City of the first license to that dog, a written statement from a licensed veterinarian certifying the dog to have been spayed or neutered must be presented at the time the license is obtained in order to qualify for a reduced dog license fee.

B. Mandatory License Requirement – Unaltered Dogs. For those dogs which are to be licensed as non-spayed or non-neutered dogs, prior to the issuance by the City of the first license to a dog, and each time a City dog license is issued after the renewal of a rabies vaccination certificate for that dog, the owner of an unaltered dog shall present to the City a copy of the veterinary certificate (as such certificate is shown in the form attached to this Chapter as an exhibit) certifying that the owner has discussed the potential concerns which may arise in owning and keeping an unaltered dog with a duly-licensed veterinarian and that the owner has been counseled by the veterinarian on the owner's responsibilities in keeping an unaltered dog. The unaltered dog certification required by this subparagraph may, at the discretion of the veterinarian, be incorporated into the wording of the rabies vaccination certificate issued by that veterinarian.

C. License – Period of Validity. The license period shall not extend beyond the remaining period of validity for the current rabies vaccination. A license shall only be issued if the rabies vaccine is current through the entire licensing period. A license shall be purchased for either a 6-month period, 12-month period, 24-month period or a 36-month period. The license fee shall not apply to any dog kept or maintained exclusively in any dog kennel in the City. No dog license required by this Section shall be transferable.

D. Transfer of Ownership of Dogs. Within thirty (30) days of the transfer of ownership of any licensed dog, the person receiving ownership shall obtain a license as set forth in Subsection A of this Section.

E. Possible Penalties for Failure to Comply. Failure to comply with the provisions of Subsections A and B of this Section may result in the impoundment of the dog or a fine or both. At the discretion of the City Animal Control Supervisor, a dog determined to be vicious under Santa Barbara Municipal Code Sections 6.08.040 or 6.12.040 may not be issued an unaltered dog license. (Ord. 5531, 2010; Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 4087, 1980; Ord. 4067, 1980; Ord. 3744 §7, 1975.)

6.12.055 Unaltered Cat License Requirement.

A. Mandatory License Requirement – Unaltered Cats. Any person owning, keeping, or having custody or control of one or more unaltered cats in the City shall obtain a cat license from the City and pay the required license fee for having custody or control of each unaltered cat over the age of four (4) months. The license fee authorized by this Chapter for unaltered cats shall be established by resolution of the City Council.

B. Unaltered Cats – Veterinarian Certificate. For those cats licensed as required by subsection (A) above, prior to the issuance by the City of the first license to such a cat, and upon the issuance of each City license thereafter, the owner of an unaltered cat shall present to the City a copy of a veterinary certificate (as such certificate is shown in the form attached to this Chapter as an exhibit) certifying that the owner has discussed the potential concerns which may arise in owning or keeping an unaltered cat with a duly-licensed veterinarian and that the owner has been counseled by the veterinarian on the owner's responsibilities in keeping an unaltered cat.

C. License – Period of Validity. A license for an unaltered cat may be purchased for either a 6-month period, a 12-month period, a 24-month period, or a 36-month period. No unaltered cat license required by this Section shall be transferable.

D. Transfer of Ownership of Cats. Within thirty (30) days of the transfer of ownership of any licensed unaltered cat, the person receiving ownership of or now keeping a cat shall obtain a cat license as set forth in Subsection A of this Section.

E. Possible Penalties for Failure to Comply. Failure to comply with the provisions of Subsections A and B of this Section may result in the impoundment of the cat or a fine or both. (Ord. 5531, 2010.)

6.12.058 Special Fund – Unaltered License Surcharge.

Notwithstanding Santa Barbara Municipal Code Section 6.04.020, in establishing the amount of City pet license fees for the keeping of an unaltered pet pursuant to Section 6.12.050 or Section 6.12.055 hereof, the City Council may also establish a license surcharge amount, which surcharge is to be earmarked into a special City fund for use, at the discretion of the Chief of Police, in funding City educational outreach activities regarding the possible concerns with owning an unaltered pet and to foster methods to encourage City pet owners to be responsible in the ownership and maintenance of an unaltered pet. (Ord. 5531, 2010.)

6.12.060 Dog or Cat License Information.

Each dog or unaltered cat license shall state the name, address, and telephone number of the person to whom such license is issued, the amount paid, the date when issued, the date on which such license shall expire, and in the case of an individual dog or cat license, a description of the dog or cat for which such license is issued, and the number of the metallic tag accompanying the license. In the case of a kennel license, such license shall show, in addition to the above information, the maximum number of dogs or cats which may be kept in such kennel under authority of such license. (Ord. 5531, 2010; Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; prior Code §5.23.)

6.12.080 Vaccination Certificate - Prerequisite to Issuance.

No license shall be issued for a dog until it has been vaccinated in accordance with Section 6.16.070, and the owner or person in possession of the dog submits a certificate of vaccination approved by the Health Department from a licensed veterinarian confirming the approved vaccination for such dog as described in Section 6.16.080. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3744 §9, 1975; Ord. 3102 §2, 1966; Ord. 2715 §4, 1959; prior Code §5.36.)

6.12.100 Kennel License - Requirements.

Any person conducting, managing or maintaining a dog kennel shall obtain a kennel license and pay to the City a license fee in an amount established by resolution of the City Council.

The applicant for a kennel license shall present the property as a kennel prior to the issuance of a license. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 4087, 1980; Ord. 3673 §1, 1974.)

6.12.110 Kennel Fees - Licensed Dogs May Be Excluded.

In ascertaining the number of dogs being kept or maintained in any kennel, duly licensed dogs shall be excluded from such number in the event that the person conducting, managing or maintaining such kennel furnishes, at the time of making application for such kennel license, an affidavit stating the number of such licensed dogs and the license number of each such dog; provided, however, that for any kennel containing any such licensed dogs there shall be paid a kennel license fee in an amount equal to the minimum amount required for dog kennels. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3744 §9, 1975; prior Code §5.28.)

6.12.120 Official Tag - Issuance.

Upon exhibition of the proper certificate of vaccination (when applicable) and payment of the license fee, there shall be delivered to the person making such payment a metal pet license tag, with the serial number, the year and "Santa Barbara City" stamped or cut thereon, and, when applicable, the word "vaccinated" stamped thereon. Such dog or cat tag shall be securely affixed to a collar or harness, which shall at all times be worn by such dog or cat. The tag while attached to the dog's or cat's collar or harness shall be prima facie evidence that the dog or cat for which the same was issued has been vaccinated (when applicable) and licensed during the licensing period for which the tag was issued. (Ord. 5531, 2010; Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Prior Code §5.30.)

6.12.130 Absence of Official Tag - Presumption.

If any dog is found in or upon any place in the City without having an official tag attached to his collar or harness as required by this Chapter, the dog shall be presumed to be an unlicensed dog and not to have been vaccinated or licensed as required by law. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3744 §10, 1975; Ord. 2715 §7, 1959; prior Code §5.33.)

6.12.140 Official Tag - Duplicates.

Whenever the official license tag issued for the current licensing period has been lost, taken or stolen by parties unknown to the owner or person having the care, custody or control of the dog for which the same has been issued, such owner or person having the care, custody or control of such dog may, upon the payment of the required fee and exhibition of his certificate of vaccination and on making and subscribing to an affidavit of such loss, receive a duplicate tag for the remaining portion of the licensing period for which the original dog tag was issued. Duplicate metal license tags may be obtained for any valid license for which current fees have been paid upon payment of an additional charge which shall be established by a resolution of the City Council. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 4087, 1980; Ord. 3744 §9, 1975; prior Code §5.34.)

6.12.150 Exemptions from Chapter.

The provisions of Sections 6.12.050 to 6.12.140 shall not apply to dogs owned by or in charge or care of persons who are (i) non-residents of the City and (ii) traveling through the City or temporarily residing therein for a period not exceeding thirty (30) days, nor to dogs temporarily brought into the City for the exclusive purpose of entering the same in a bench show or dog exhibition. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3597, 1973.)

6.12.160 Guard Dog.

A. GUARD DOG. Any dog kept, used or maintained to guard, protect, patrol or defend any property, premises or person within the City limits.

B. NOTICE AND SIGNS. No person shall keep, use or maintain any guard dog unless the premises are posted to warn of a guard dog on the property. The warning shall consist of a sign placed at each entrance and exit to the property in a position to be legible from the sidewalk or ground level adjacent to the sign. If the property is not enclosed by a wall or fence, a sign shall be placed at every entrance and exit to each structure on the premises. Each sign shall measure at least 10" x 14" and shall contain block lettering on a white background stating "Warning Guard Dog on Duty". In addition, the sign shall set forth the name, address and telephone number of the person or persons to be notified during any hour of the day or night who will proceed immediately to the location to permit entry by the Animal Control Supervisor or any animal control officer. A copy of such information shall also be delivered to the Animal Control Supervisor.

C. LICENSE. No person shall keep, use or maintain a guard dog on any premises unless each dog has its license tag securely affixed to its collar or harness.

D. TETHER REQUIREMENTS. No person shall keep, use or maintain any guard dog on any property or premises used for commercial or industrial purposes during business hours unless such guard dog is confined to a completely enclosed pen, is maintained by a tether not longer than five (5) feet or is confined to an area away from contact by persons authorized to be on the property or premises. (Ord. 4621, 1990; Ord. 4460, 1987.)

6.12.170 Dogs in Vehicles.

A. No person shall transport or carry on any public street any dog in any unenclosed portion of a motor vehicle unless the dog is protected by a cage, pen or crosstie which will prevent the dog from falling from, being thrown from, or jumping from the motor vehicle.

B. No person shall leave a dog in an unattended motor vehicle without adequate ventilation or in such a manner as to subject the animal to extreme temperatures which adversely affect the dog's health or welfare.

C. No person shall leave a dog in an unattended motor vehicle without assuring that the dog cannot escape or bite persons passing by the vehicle. (Ord. 4621, 1990; Ord. 4460, 1987.)

EXHIBIT TO SECTIONS 6.12.050 AND 6.12.055

**VETERINARIAN CERTIFICATE OF COUNSELING
FOR NON-SPAYED OR NON-NEUTERED DOGS OR CATS**

This Certificate is to certify that _____, D.V.M., has discussed the potential problems and concerns which may arise in keeping and properly maintaining a dog or cat which has not been altered and the responsibilities which come with owning an unaltered dog or cat, with _____ (insert owner's name), the owner of the dog or cat.

I have been advised by the owner that this pet will be kept at the following address within the City of Santa Barbara, which will be the licensing address:

_____ (insert address for license and where pet will be kept)

I also certify that I provided this owner with the informational materials and literature on how to responsibly and properly keep and maintain a non-spayed or non-neutered pet, and I have discussed this information with him or her and advised them of their ownership responsibilities.

DATED: _____, DVM

_____ ADDRESS

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Chapter 6.16

RABIES

Sections:

6.16.010	Suspicion - Report to County Health Officer.	6.16.055	Failure to Isolate or Surrender Biting Animal.
6.16.020	Suspicion - Inspection on Private Property.	6.16.060	Redemption of Animals Free of Rabies - Disposition of Unclaimed Animals.
6.16.030	Disposal - Laboratory Specimens - Cost.	6.16.070	Vaccination - Required.
6.16.040	Quarantine - Confinement Specified.	6.16.080	Vaccination - Certificate of Vaccination Issued to Owner.
6.16.050	Reports of Animal Biting - Isolation - Release - Cost.		

6.16.010 Suspicion - Report to County Health Officer.

Whenever the owner or person having the custody or possession of an animal shall observe or learn that such animal shows symptoms of rabies, or acts in a manner which would lead to a reasonable suspicion that it may have rabies, such owner or person having the custody or possession of such animal shall immediately notify the County Health Officer. The County Health Officer shall make or cause an inspection or examination of such animal to be made by a licensed veterinarian until the existence or nonexistence of rabies in such animal is established by such veterinarian. Such animal shall be kept isolated in a pound, or veterinary hospital, in a manner approved by the local County Health Officer. If after ten (10) days there are no symptoms of rabies, such animal may be released. The County Health Officer shall destroy any animal exhibiting signs of rabies. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3744 §12, 1975; Ord. 3127 §2, 1966; Ord. 2715 §8, 1959; prior Code §5.36.)

6.16.020 Suspicion - Inspection on Private Property.

The County Health Officer is hereby authorized and empowered to enter upon private property where any dog or other animal is kept or believed by him to be kept, for the purpose of ascertaining whether such dog or other animal is afflicted or infected with rabies. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3744 §12, 1975; prior Code §5.37.)

6.16.030 Disposal - Laboratory Specimens - Cost.

If any rabid animal, clinically suspected rabid animal or biting animal dies or has been destroyed, adequate specimens shall be obtained and examined in a Public Health laboratory approved by the State Health Department. All costs incurred shall be paid by the owner of the animal. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 2715 §9, 1959; prior Code §5.38.)

6.16.040 Quarantine - Confinement Specified.

If, in the opinion of the County Health Officer, an outbreak of rabies appears imminent in any part of the City, the County Health Officer may, (i) establish a rabies quarantine area, which may include the entire City, and (ii) specify the animals subject to quarantine. Every person owning or having possession or control of any such animal in any quarantine area shall at all times keep the animal securely fastened with a rope, chain, or leash, or confined within the private property of the owner. Any animal found at large in or upon any place in a rabies quarantine area shall be captured and confined in the animal control facility until the animal is established as being free from rabies, at which time it may be reclaimed by its owner, upon payment of such fees as are provided by resolution of the City Council. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3744 §12, 1975; Ord. 2715 §10, 1959; prior Code §5.39.)

6.16.050 Reports of Animal Biting - Isolation - Release - Cost.

Any person owning, possessing or harboring any animal that bites any person, and any person bitten by such animal, shall report the same to the Police Department. The Police Department upon the receipt of such report shall investigate and inform the Animal Control Supervisor or designated animal control officer and the County Health Officer of the available information concerning such bite. The Animal Control Supervisor or designated animal control officer shall take custody of and isolate all such biting animals. Currently licensed and vaccinated dogs shall be isolated for up to ten (10) days in a manner prescribed by the County Health Officer. All other biting animals shall be isolated in an animal control facility or veterinary hospital for up to ten (10) days after infliction of bite. A biting dog may be released by the veterinarian after five (5) or more days of isolation, if the observing veterinarian certifies that there are no clinical signs or symptoms of any disease. All dogs shall be vaccinated and licensed before release. All costs incurred shall be paid by the owner of the animal. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3744 §12, 1975; Ord. 3127 §3, 1966; Ord. 2715 §11, 1959; prior Code §5.40.)

6.16.055 Failure to Isolate or Surrender Biting Animal.

It shall be unlawful for an owner or person having the custody or possession of an animal to fail to isolate an animal in the manner required by the Animal Control Supervisor, designated animal control officer, or County Health Officer pursuant to §6.16.050. It shall be unlawful for an owner or person having the custody or possession of an animal to fail to surrender to the Animal Control Supervisor, designated animal control officer, or County Health Officer any animal required to be taken up and isolated by the Animal Control Supervisor, designated animal control officer, or County Health Officer pursuant to §6.16.050. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3995, 1979.)

6.16.060 Redemption of Animals Free of Rabies - Disposition of Unclaimed Animals.

In the event that an animal appears to be free from rabies following capture and the owner desires to claim the animal, it shall be returned to him upon exhibition of a proper certificate of vaccination, receipt of an official license tag, and upon payment of all impound fees and such other fees as are hereafter provided in this Chapter. In the event the owner does not claim the animal within three (3) days after seizure and in the event that the City continues to hold the possession, the City may deliver the dog to another person desiring the animal, upon the same conditions outlined above; or the City may otherwise dispose or destroy the dog in a humane manner. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Prior Code §5.41.)

6.16.070 Vaccination - Required.

It is unlawful for any person owning, harboring or having the care, custody or possession of any dog to keep or maintain such dog in any place in the City, unless such dog has been vaccinated with canine anti-rabies vaccine, by a method approved by the County Health Officer. The effective duration of immunity elicited in dogs vaccinated with canine anti-rabies vaccines, modified live-virus chick embryo origin or with brain-tissue killed virus phenolized or other, recognized for the purpose of this Chapter, shall be specified by the County Health Officer, but shall not in any event exceed those periods recommended by the State Health Department and duly endorsed by the Conference of Local County Health Officers of the State. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3744 §12, 1975; prior Code §5.19.)

6.16.080 Vaccination - Certificate of Vaccination Issued to Owner.

The licensed veterinarian vaccinating a dog shall issue to the owner or person in possession of the dog a certificate of vaccination which shall include a statement as to the type, lot, number and amount of canine anti-rabies vaccine used in vaccinating the dog. The County Health Officer, subject to the approval of the City Administrator, may establish dog vaccination clinics. At such clinics there will be a fee for each dog vaccinated. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3744 §§12, 13, 1975; prior Code §5.20.)

Chapter 6.20

ANIMAL CONTROL SUPERVISOR

Sections:

6.20.010	Duties Generally.	6.20.060	Confinement and Examination of Dogs.
6.20.020	Records.	6.20.070	Notification of County Health Officer of Suspected Rabid Dogs.
6.20.030	Capture of Dogs.	6.20.080	Treatment of Animals.
6.20.040	Retention Without Owner's Consent.	6.20.090	Destruction of Impounded Animals.
6.20.050	Notification of Owner of Impounded Dogs.		

6.20.010 Duties Generally.

The Animal Control Supervisor and all animal control officers shall have the duty to enforce the provisions of this Title and applicable state animal control laws. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 2715 §12, 1959; prior Code §5.46.)

6.20.020 Records.

The Animal Control Supervisor or designated animal control officer shall keep a record of each animal impounded, which record shall show the date of receipt of such animal, the date and manner of its disposal, and if redeemed, reclaimed or sold, the name of the person by whom redeemed, reclaimed or purchased, the address of such person, and amounts of all fees received or collected for or because of the impounding, reclaiming or purchasing, together with the number of any tag, the date of any license exhibited or issued upon the redemption or sale of any such animal. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1987; prior Code §5.47.)

6.20.030 Capture of Dogs.

The Animal Control Supervisor, and all animal control officers, must, and are hereby authorized and empowered to, capture any unlicensed dog or dog not vaccinated as required by law, which is found running at large, upon or in any place within the City and confine such dog at the animal control facility. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; prior Code §5.48.)

6.20.040 Retention Without Owner's Consent.

Upon the discovery of a lost dog, cat or other pet under circumstances which give knowledge of, or means of inquiry as to, the true owner, the person so discovering such dog, cat or other pet shall promptly take reasonable steps to notify the true owner or the Animal Control Supervisor or designated animal control officer. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985.)

6.20.050 Notification of Owner of Impounded Dogs.

The Animal Control Supervisor, all animal control officers, or other person capturing and holding a dog under the provisions of this Chapter shall make reasonable effort to locate and notify the owner that the animal is being held at the animal control facility and may be reclaimed within a period of three (3) days from the date of seizure as provided in this Chapter. No dog shall be released without payment of all impound fees, outstanding animal control citations more than thirty (30) days old, and evidence of a proper certificate of vaccination and license. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Prior Code §5.49.)

6.20.060 Confinement and Examination of Dogs.

Any dog impounded by the Animal Control Supervisor and animal control officers by reason of no current vaccination shall be confined at the animal control facility at the owner's expense. The dog shall not be released without receipt of a current vaccination and license. It shall be the duty of the County Health Officer to examine or cause to be examined by a licensed veterinarian any animal suspected of having rabies to determine whether or not it is so afflicted. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3744 §14, 1975; prior Code §5.50.)

6.20.070 Notification of County Health Officer of Suspected Rabid Dogs.

The Animal Control Supervisor or animal control officers, shall immediately notify the County Health Officer of the location and description of any dog or other animal infected or believed to be infected with or exposed to rabies. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3744 §14, 1975; prior Code §5.51.)

6.20.080 Treatment of Animals.

The Animal Control Supervisor or designated animal control officer shall provide the necessary subsistence for animals while in custody and shall not alter, nor allow to be altered any mark or brand thereon, and shall not allow cruel treatment of the animal. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; prior Code §5.52.)

6.20.090 Destruction of Impounded Animals.

It shall be the duty of the Animal Control Supervisor or an animal control officer to humanely destroy, without cost to the individual owner, any and all animals, which shall be brought to the animal control facility, not less than three (3) days after the taking up and impounding of any animal unless it be sooner redeemed.

Whenever any animal is impounded which by reason of old age, disease or other infirmity is unfit for further use or dangerous to be kept impounded, the Animal Control Supervisor shall within twenty-four (24) hours destroy such animal. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; prior Code §5.53.)

Chapter 6.24

DISPOSITION OF DEAD ANIMALS

Sections:

6.24.010 Owner's Request - Fees.

6.24.020 Public Places.

6.24.010 Owner's Request - Fees.

It shall be the duty of the Animal Control Supervisor or designated animal control officer, upon the request of any owner or possessor of any dead animal which was kept in the City immediately prior to its death to dispose of the dead animal and collect a fee for such service. The fees authorized by this Chapter shall be established by resolution of the City Council. Nothing in this Section shall be construed so as to require the Animal Control officer to transport any dead animal to the place of disposal, except as required in other Sections hereof. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 4255, 1984; Ord. 3673 §3, 1974.)

6.24.020 Public Places.

It is unlawful for any owner or person who, having had the possession or control of any animal while alive, to place the body of such animal or to knowingly permit the body of such animal to remain in or upon any public street, alley, sidewalk, lane or other public place. It shall be the duty of the Animal Control Supervisor or designated animal control officer, whenever it comes to his knowledge that any dead animal is upon any of the public streets, alleys, sidewalks, lanes or any other public place within the City, to promptly dispose of the dead animal. The Animal Control Supervisor or designated animal control officer may charge and collect the fee set by resolution of the City Council from the owner or person formerly having possession or control of the animal, if his or her identity can be ascertained. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 4255, 1984; Ord. 3266 §2, 1967; prior Code §5.11.)

Chapter 6.28

BEES

Sections:

6.28.010	Beekeeping.	6.28.030	Number and Location of Hives.
6.28.020	Conditions for Beekeeping.	6.28.040	Compliance with State Law.

6.28.010 Beekeeping.

It shall be unlawful for any person to keep bees except in a manner in compliance with the provisions of this Chapter. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3769, 1975; Ord. 3642, 1974.)

6.28.020 Conditions for Beekeeping.

Each person, firm, company, corporation or other organization maintaining one (1) or more colonies of honey bees, *apis mellifera*, shall comply with all of the following conditions:

- A. Each colony shall be maintained in movable-frame hives.
- B. Adequate space shall be maintained in the hive to prevent over-crowding and swarming or aggressive behavior.
- C. Each colony shall be registered with the County Agricultural Commissioner. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3769, 1975; Ord. 3642, 1974.)

6.28.030 Number and Location of Hives.

A. No more than four (4) hives shall be maintained on lots having less than 10,000 square feet in area. On lots larger than 10,000 square feet, no more than one (1) hive shall be maintained for each 5,000 square feet of additional lot area.

B. Hives shall not be placed within twenty (20) lineal feet of any public street, sidewalk, or other public thoroughfare. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3769, 1975; Ord. 3642, 1974.)

6.28.040 Compliance with State Law.

Each person, firm, company, corporation or other organization maintaining one (1) or more colonies of honey bees, *apis mellifera*, shall comply with all State regulations governing bee management and honey production as provided in Division 13 of the Agricultural Code of the State of California. Those regulations are enforced by the County Agricultural Commissioner. (Ord. 4621, 1990; Ord. 4460, 1987; Ord. 4346, 1985; Ord. 3769, 1975; Ord. 3642, 1974.)

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