

**LIST OF SAN LUIS OBISPO COUNTY TITLE 9 REGULATIONS NOT
CURRENTLY CONTAINED IN AGMC TITLE 6**

Chapter 9.01 - GENERAL PROVISIONS

9.01.001 - Division of animal services established.

There is hereby established a division of animal services which shall function as a division of the county health agency.

(Ord. No. 3498, 11-7-23)

9.01.002 - Rules and regulations.

The chief animal control officer is hereby authorized to promulgate and enforce such rules or regulations consistent with the purposes, intent, and express terms of this title as he deems necessary to implement such purposes, intent and express terms.

9.01.003 - Definitions.

9.01.009 - Impersonation of animal control officer—Prohibited.

It is unlawful for any person who has not been designated to the position of animal control officer as provided in Section 9.01.004, to represent himself or herself to be, or to attempt to act as an animal control officer. Any person who violates this section is guilty of a misdemeanor.

9.02.002 - Unauthorized feeding or attraction of animals prohibited.

It is unlawful for any person to place, deposit, or maintain food, water, shelter, or other similar attractant for an animal in any public park, plaza, woodland, other public place, or upon the private property of another person without the express consent and authorization of the property owner or tenant.

(Ord. No. 3498, 11-7-23)

9.02.003 - Animal wastes—Duty to remove.

Every person having custody or control of a dog or cat shall promptly remove and dispose of, in a sanitary manner, all feces and other solid waste left by such animal in any public area or on any private property other than that of the animal's owner or keeper.

(Ord. No. 3498, 11-7-23)

9.02.007 - Menacing and aggressive animals.

(a) It is unlawful for any person to keep, harbor, or maintain any aggressive or menacing animal which threatens, harasses, or intimidates a person who is peaceably and lawfully upon public or private property, unless it is contained in an enclosure of a construction adequate to keep it securely confined and prevent its escape.

(b) Upon notification of a violation of subsection (a), the animal owner(s) must immediately confine it to an enclosure or location that mitigates the aggressive and menacing behavior.

(c) It is unlawful for any person to permit any animal owned, harbored, or controlled by him or her to attack and cause severe bodily injury or death to another domestic or captive animal while off the property of its owner or keeper.

(d) Liability of Property Owners.

(1) Owners of properties upon which a tenant keeps, harbors, or maintains any aggressive or menacing animal may, along with the animal owner(s), be jointly and severally liable for penalties related to violations of subsection (a), provided that they have received at least fourteen days prior written notice of the existence of such violation and the violation has not been abated.

(Ord. No. 3498, 11-7-23)

9.02.008 - Animals designated as potentially dangerous or vicious.

(a) Any animal designated under the provisions of another municipal, county, or state law as potentially dangerous, vicious, or their respective equivalent shall be considered so designated within the County of San Luis Obispo as well.

(b) Any and all terms or restrictions related to the keeping, confinement, and care of the animal issued in association with that designation shall be fully and equally in force within the county.

(Ord. No. 3498, 11-7-23)

9.02.009 - Possession of unsafe and wild animals prohibited.

It is unlawful for any person to own, keep, maintain, or possess any animal which is wild by nature and which, because of its size, disposition, or other characteristics could constitute a danger to human life or property.

(a) Such animals shall include, but are not necessarily limited to, the following:

(1) Mammals:

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a. Any canine other than a member of the species *Canis familiaris* (domestic dog), including wolves, coyotes, foxes, jackal, or any hybrid thereof.

b. Any feline other than a member of the species *Felis catus* (domestic cat), including mountain lions, bobcats, tiger, or any hybrid thereof.

c. Hyenas, bears, elephants, and primates.

(2) Reptiles:

a. Any species of front fanged venomous snake, or hybrid thereof.

b. Any venomous species of *Heloderma*.

c. Reticulated pythons, rock pythons, Burmese pythons, anacondas, or any other snake which commonly exceeds ten feet in length at adulthood.

d. Any crocodile or alligator.

(3) Any other terrestrial animal species, except for honey-producing bees, which is venomous to human beings, whether its venom is transmitted by bite, sting, touch or other means.

(b) This prohibition shall not apply to:

(1) Livestock;

(2) Any member of the following taxonomic groups:

a. Aves (birds);

b. Equidae (horses, asses, and zebras);

c. Camelidae (camels, llamas, alpacas);

d. Ruminantia (Oxen, bison, deer, antelope, chevron).

(3) Any wild and dangerous animal being transported through the county provided that the possessor is in compliance with all state and federal laws related to the keeping, possession, and transport of such animals, and provided that the animal does not remain within the county for more than twenty-four hours;

(4) Any zoo, circus, museum, educational or academic research institution, veterinary hospital, wildlife rehabilitation or breeding organization, animal rescue, or commercial film or video production company provided that the animals are kept and confined in a manner which precludes their escape and which fully protects the public from harm.

(Ord. No. 3498, 11-7-23)

9.02.010 - Injury to animals by motorists—Duty to stop and assist.

(a) The operator of a motor vehicle or self-propelled vehicle which strikes and injures or kills any domestic animal on any public roadway shall:

(1) Stop and give reasonable aid, assistance, and/or protection to said animal, provided that this can be done without the operator placing himself at unreasonable risk; and

(2) Contact the animal's owner, if known, or the animal services division, highway patrol, or the sheriff's or police department with jurisdiction, and report the location and facts of the incident, including their name and contact information; and

a. Remain at the scene until the owner, appropriate law enforcement or animal control authority arrives or until otherwise dismissed by that authority; or

b. In the case of an animal which is injured and not dead, the operator may immediately transport the animal to a veterinarian for treatment.

(b) This section shall not apply to public safety officers or emergency response personnel if the vehicle they were operating was responding to an emergency situation at the time the animal was struck.

(Ord. No. 3498, 11-7-23)

Chapter 9.03 - DOGS AND CATS

9.03.001 - Microchipping required.

(a) All dogs and cats over the age of four months must be implanted with an identifying microchip.

(b) This provision shall not apply to:

(1) Dogs or cats for which a veterinarian licensed to practice within the state of California has issued a certificate indicating that such procedure would pose a serious risk to the health or life of the animal. Such certificate shall be issued in a form as prescribed by the division.

(2) Dogs or cats over eight years of age on January 1, 2022.

(c) Any dog or cat without a microchip impounded by the division shall be microchipped prior to redemption or adoption.

(Ord. No. 3498, 11-7-23)

9.03.002 - Animal keeping limitations—Dogs and cats.

(Ord. No. 3498, 11-7-23)

9.03.004 - Cats at large.

(a) No person shall permit any unaltered cat owned, harbored, or controlled by him to roam at large.

(b) Any person finding a cat roaming at large may, at their own expense, have that animal spayed or neutered by a veterinarian.

(Ord. No. 3498, 11-7-23)

(Ord. No. 3498, 11-7-23)

9.04.005 - Vaccination and medical treatment of impounded animals authorized.

The division is hereby authorized to administer to any impounded animal such vaccinations, preventative medical treatment, or parasite controls as may be deemed necessary to promote the health and welfare of the animal or of other impounded animals. The cost for the administration of such medications or treatment may be included in the calculation and assessment of impound fees.

(Ord. No. 3498, 11-7-23)

9.04.006 - Holding period—Household pets.

(a) Unless otherwise specified within this title or by California state code, any household pet impounded under the provisions of this title shall be held by the division and kept available for owner redemption for a period of no less than three business days, not including the day of impoundment.

(b) Calculation of the holding period for animals impounded with current identification as defined by Section 9.01.003(v) shall commence upon notification to the owner or custodian of the impoundment. If such notification is not made, the holding period for such animals shall be no less than seven calendar days.

(c) Any animal surrendered to the division by its lawful owner may, at the division's discretion, be made immediately available for adoption.

(Ord. No. 3498, 11-7-23)

9.04.007 - Holding period—Livestock.

(a) The division shall immediately notify the office of the California State Secretary of Agriculture and provide a description of any impounded bovine, horse, mule, or burro having been found at large.

(b) Any livestock animal found at large shall be held by the division and kept available for owner redemption for a period of no less than ten business days, not including the day of impoundment.

(c) The division may authorize an individual finding any livestock animal other than a bovine roaming at large to maintain custody of the animal pending identification of the owner, provided they keep it adequately confined and provided with appropriate care. If the owner is not identified after thirty days, the finder may establish ownership of the animal as provided in Section 9.04.009. The individual finding the animal roaming at large may at any time turn such animal over to the division.

(Ord. No. 3498, 11-7-23)

Chapter 9.05 - ANIMAL BREEDING AND SALES

9.05.001 - Animal breeding—Permit required.

(a) No person, firm, corporation, or association shall breed with the intent to sell, nor offer for sale, any animal of a type normally kept as a household pet without having first obtained the appropriate permit from the division.

(1) In the event that the breeding operation qualifies as a hobby breeder under the definitions of this title, the permit type issued shall be that of a hobby breeder permit.

(2) All other breeding operations shall be permitted as a commercial animal operation.

(b) Application, approval, and maintenance of this permit shall be independent of, and in addition to, any other permits required by this code.

(c) Issuance of a permit under this section does not supersede, negate, or otherwise eliminate the requirement of an animal owner or keeper to comply with all other municipal, county and state regulations, ordinances, and laws related to the keeping, breeding and/or sale of animals.

(Ord. No. 3498, 11-7-23)

9.05.002 - Advertisement of animals for sale.

Any hobby breeder or commercial animal operation offering the sale of a household pet shall include the permit number issued for that operation in any print, electronic, or other form of advertisement.

(Ord. No. 3498, 11-7-23)

9.05.003 - Hobby breeder permit—Inspection required.

(a) The division shall conduct an inspection of the associated animal facility upon receipt of an application for a new hobby breeder permit and from time to time as may be deemed necessary by the chief animal control officer to ensure appropriate animal care and management.

(b) Routine hobby breeder permit inspections may be conducted without prior notification to the permit holder or applicant during the normal business hours of the division.

(c) Inspections conducted in conjunction with an investigation of alleged or suspected animal welfare concerns or permit violations may be conducted as necessary for that purpose. (d)

Refusal of an applicant or permit holder to allow an inspection shall be grounds for denial or revocation of the hobby breeder permit.

(Ord. No. 3498, 11-7-23)

9.05.004 - Hobby breeder permit—Issuance and revocation.

(a) An applicant shall be issued a hobby breeder permit by the chief animal control officer upon successful completion of an inspection of the associated animal facility and payment of any associated fees as may be established by the board of supervisors.

(b) A hobby breeder permit may be immediately denied, suspended, or revoked by the chief animal control officer upon due investigation and determination that:

(1) The issuance of such permit creates, is likely to create, or promotes a public nuisance; or

(2) The permit holder or applicant has failed to maintain the premises in a clean, sanitary condition and poses an unreasonable risk to the health, safety and welfare of the animals residing at the premises; or

(3) The permit holder or applicant has failed to provide appropriate care, housing, or confinement for the animals in his or her keeping; or

(4) The permit holder, applicant, or other resident of the property for which the permit is sought has been convicted of any offence involving a violation of Section 597 of the California State Penal Code or any other equivalent municipal, county, or state law or code.

(5) The permit holder or applicant is maintaining or breeding animals in violation of municipal, county, or state law or code.

(c) In the event a hobby breeder permit is suspended or revoked, the holder of the permit shall be given an opportunity for a hearing before an impartial hearing officer from outside of the division, within forty eight business hours of the time of suspension. Upon conclusion of the hearing, the hearing officer may decide to:

(1) Dismiss the suspension or revocation and reinstate the permit with or without conditions; or

(2) Suspend or revoke the permit.

This hearing shall be conducted in accordance with procedures adopted by the division and the hearing officer's decision shall be final.

(Ord. No. 3498, 11-7-23)

9.05.005 - Hobby breeder permit—Term, fee, and delinquency.

(a) Hobby breeder permits shall be issued for the calendar year, or any part thereof, during which the operation is maintained. Each permit shall expire on December 31 of the current year.

(b) The division may assess a fee for the issuance or the annual renewal of a hobby breeder permit. No proration of the fee shall be made for new permit or renewal applications submitted after January 1, provided that permits issued for new applications submitted after October 1 shall be valid until December 31 of the following year.

(c) A renewal application may be submitted at any time during the calendar year without penalty, provided that such application is made prior to the breeding of the animals to be covered by the permit. In the event that a renewal application is not submitted prior to the breeding, the division may assess a penalty fee.

(Ord. No. 3498, 11-7-23)

9.05.006 - Report of animal sales.

Any holder of a hobby breeder permit shall report in writing the sale of any dog or cat to the division within thirty days of the event. Such report shall include:

- (a) Date of sale;
- (b) Species, breed, age, sex, and color of the animal; and
- (c) Name and physical address of purchaser.

(Ord. No. 3498, 11-7-23)

Chapter 9.06 - COMMERCIAL ANIMAL OPERATIONS

9.06.002 - Commercial animal operation permit—Operational standards.

- (a) The division shall establish minimum standards of sanitation, animal care, and animal housing for the operation of a commercial animal facility. In the event that another law or regulation sets forth different standards regarding the sanitation, care and housing of animals at the facility, the more restrictive law or regulation shall control.
- (b) Failure of a permit holder to correct a deficiency in operational standards upon notification by the division constitutes an infraction.

(Ord. No. 3498, 11-7-23)

9.06.003 - Commercial animal operation permit—Inspection required.

- (a) The division shall conduct an inspection of the associated animal facility upon receipt of an application for a new commercial animal operation permit and from time to time as may be deemed necessary by the chief animal control officer to ensure appropriate animal care and management.
- (b) Routine commercial animal operation permit inspections may be conducted without prior notification during the normal business hours of the permitted animal facility.
- (c) Inspections conducted in conjunction with an investigation of alleged or suspected animal welfare concerns or permit violations may be conducted as necessary for that purpose.
- (d) Refusal of an applicant or permit holder to allow an inspection may be grounds for denial or revocation of the permit.

(Ord. No. 3498, 11-7-23)

9.06.005 - Emergency notification.

The owner or operator of a commercial animal operation shall post in a conspicuous location, where it may be seen outside the locked premises, a notice listing the names and telephone numbers of persons who may be contacted in the case of any emergency.

(Ord. No. 3498, 11-7-23)

9.06.007 - Commercial animal operation permit—Appeal of denial, suspension, or revocation.

(a) The applicant or holder of a commercial animal operation permit which has been denied, suspended, or revoked may appeal the decision to the board of supervisors by submitting a written request to the clerk of the board within seven days of the issuance of such decision. The clerk shall set the matter for hearing at the earliest possible date and shall give reasonable notice of the time and place thereof to the applicant or permittee and to the division.

(b) The board of supervisors, or their designee, shall hear the evidence offered by the division and by the applicant or permittee and shall forthwith decide the issue.

(c) The decision of the board of supervisors, or their designee, shall be final.

(Ord. No. 3498, 11-7-23)

9.06.008 - Commercial animal operation permit—Term, fee, delinquency, fee exemption.

(a) Commercial animal operation permits shall be issued for the calendar year, or any part thereof during which the operation is maintained. Each permit shall expire on December 31 of the current year, provided that such permit may be renewed without penalty on or before January 1 of the next year.

(b) The division may assess a fee for the issuance or the annual renewal of a permit which shall be established by resolution or ordinance by the board of supervisors. No proration of the fee shall be made for new permit or renewal applications submitted after January 1, provided that permits issued for new applications submitted after October 1 shall be valid until December 31 of the following year.

(c) A penalty fee may be assessed for permit renewal applications submitted after January 31. The penalty fee shall be established by resolution or ordinance by the board of supervisors.

(d) Non-profit humane organization conducting a commercial animal operation are exempt from the assessment of permit fees provided that they submit documentation of their Internal Revenue Service designation as a 501(c)3 organization at the time of application and that they submit their renewal application prior to January 31.