

MARIPOSA COUNTY ORDINANCE 471

ANIMAL CONTROL ORDINANCE

The Board of Supervisors of the County of Mariposa, State of California, do ordain as follows:

SECTION 1. DEFINITIONS

a. Dog license means a license tag required to be purchased or obtained by this ordinance for each dog over four (4) months of age in Mariposa County, and all renewals thereof.

b. At large means off the premises of the owner and not under the reasonable control of such owner.

c. Livestock includes domestic fowls and rabbits.

d. Dog means any canine, including coyotes and wolves, and any hybrid crosses of any of the above.

e. Owner means any person who owns, controls, harbors, or keeps in his possession any dog which is over four (4) months of age. This will not include the Mariposa County S.P.C.A. at such time a holding facility is approved by the Health Department of the County of Mariposa.

f. Vicious means having previously killed, attacked, molested, chased, worried, wounded, or pursued any person other than the owner, or livestock, poultry, or other domestic animal not owned by the owner.

SECTION 2. LICENSE REQUIRED

The owner of each dog must purchase a license for it. The license shall remain in effect for two (2) years, at which time the dog must receive another rabies vaccination and another license must be purchased.

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1 c. Owners of dogs which are licensed for the current
2 year by another city or county.

3 d. Mariposa County S.P.C.A. holding dogs, once an
4 approved shelter is placed into operation by said
5 Mariposa County S.P.C.A.

6 SECTION 7. LOST LICENSES

7 The County Health Department will issue a duplicate li-
8 cense for a fee of One Dollar (\$1.00) upon proper identification
9 and proof of loss.

10 SECTION 8. RESTRICTIONS

11 No owner shall:

12 a. Permit his dog to run at large on any private pro-
13 perty or where any livestock or domestic fowl are
14 kept without the permission of the property owner.

15 b. Permit his dog to run at large in a public park,
16 school or school grounds, public street, trailer park,
17 or campground.

18 c. Permit his dog to run at large while in heat, if an
19 unspayed female.

20 d. Permit his dog to injure a person or damage or destroy
21 property.

22 e. Permit his dog to be a public nuisance as defined by
23 Section 370 of the Penal Code of the State of
24 California.

25 f. Abandon a dog or other animal in the County.

26 SECTION 9. IMPOUNDMENT

27 The Animal Control Officer shall impound:

28 a. Any dog or domestic animal, including livestock, run-
ning at large in the County.

b. Any unlicensed dog which is not exempt.

c. Any dog or domestic animal which has become a public
nuisance or has caused injury to persons or damage to
property.

d. Abandoned dogs or other domestic animals.

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SECTION 3. RABIES VACCINATION

The owner of each dog four (4) months of age or more shall cause it to be vaccinated against rabies, and at intervals of not more than two (2) years or at such other times as may be prescribed by the State Health Department. This vaccination shall be performed by veterinarian licensed in California using approved materials and techniques. Proof of such vaccination is required before issuance of a license tag.

SECTION 4. APPLICATION

Each application for a dog license tag shall state the name, age, sex, color, breed of dog for which the license is desired, date and type of rabies vaccine administered, and name and address of the owner.

SECTION 5. FEES

The fee for the purchase of a dog license is hereby set at Two Dollars and Fifty Cents (\$2.50) per year. The license shall be purchased every two (2) years for Five Dollars (\$5.00) and shall be valid for two (2) years. Whenever dog license tags are issued pursuant to this division, any such tag shall be issued for one-half of the fee required for a dog if a certificate is presented from a licensed veterinarian that the dog has been spayed or neutered.

SECTION 6. EXEMPTIONS

The following are exempt from procuring dog licenses:

- a. Veterinarians as to dogs being held for treatment or board.
- b. Owners of dogs used by blind people or being trained for such use.

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1 SECTION 10. DISPOSITION OF IMPOUNDED ANIMALS

2 Impounded dogs and other animals shall be kept at the
3 pound, shelter, or other facility approved by the County and may be
4 disposed of in the following manner:

- 5 a. Unlicensed, non-exempt dogs and other domestic ani-
6 mals will be kept for at least five (5) days (120
7 hours). Thereafter, they may be given to any person
8 who will comply with this ordinance, or they will be
9 destroyed in a humane manner. Persons taking animals
10 from the control of the Animal Control Officer shall
11 pay an impounding fee of Five Dollars (\$5.00) per
12 animal in addition to any dog license fee and fees
13 for board and care. No animal or animals shall be
14 sold, loaned, or given to any person, firm, group,
15 society, or corporation to be used for experimental
16 purposes by any pound, shelter, or other animal
17 facility operated in Mariposa County.
- 18 b. A dog or other domestic animal, whose owner can be
19 identified and which is impounded, will be kept ten
20 (10) days after mailing notice of impoundment by
21 certified mail to its owner. The owner may reclaim
22 it upon payment of expenses resulting from said im-
23 poundment. If the owner does not reclaim the dog or
24 other domestic animal in that time, the Animal
25 Control Officer may dispose of it as described in
26 Subsection 'a' of this Section. The Animal Control
27 Officer, or those with whom the Board has contracted,
28 may dispose of domestic animals whose owner cannot be
identified in the same manner after five (5) days.
- c. If an animal has bitten a person or there is reason
to suspect that it is infected with rabies or other
communicable diseases, to wit: Q fever, psittacosis,
brucellosis, encephalitis, and others as may be
designated by the State Department of Health from
time to time, the Health Officer may impose a quaran-
tine which will be carried out by the Animal Control
Officer. Charges for animals held in quarantine are
the expense resulting from said impoundment. If the
animal proves to be infected with rabies, it will be
disposed of as directed by the Health Officer.
- d. The Animal Control Officer shall have the discretion
to allow an animal to be confined by a leash or chain
on the owner's premises on the condition that said
animal be placed under the observation of a veteri-
narian at the expense of the owner for a period of
ten (10) days.

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SECTION 11. NOTICE TO OWNER

No dog or other animal which is impounded pursuant to this ordinance shall be destroyed or otherwise disposed of without notice to the owner, if he is known.

SECTION 12. POUND

The pound, Mariposa County S.P.C.A. animal shelter, or any other shelter facility approved by the County, should the County not operate and maintain such pound or shelter, or such pound or shelter which the County may contract with pursuant to Section 16, will receive dogs and other domestic animals without fee when they are brought by their owners for disposal. The Animal Control Officer may dispose of them immediately in the manner provided by Section 10 hereof.

SECTION 13. INJURED ANIMALS

When notified that a dog or other domestic animal is injured and at large, the Animal Control Officer shall attempt to capture the animal. If the owner of the animal can be identified by a dog license or other readily available means, the Animal Control Officer shall immediately contact the owner and obtain his instructions for disposition of the animal. Any further services or veterinary treatment of the animal shall be a charge to the owner. If the owner cannot be identified or located, the Animal Control Officer may dispose of the animal immediately in a humane manner if he finds it necessary; otherwise he will handle the animal in the manner prescribed in Section 10 as appropriate.

SECTION 14. ANIMAL CONTROL OFFICER

There shall be an Animal Control Officer of Mariposa County. Unless otherwise designated by the Board, the Constable

1 of the Mariposa County Judicial District shall be the Animal Control
2 Officer. His duties shall be as outlined in this ordinance, and as
3 may be set from time to time by resolution of the Board, and as may
4 be prescribed by the laws of the State of California. The County
5 Health Department is authorized to collect license fees. The
6 Constable shall collect impounding and board fees and other funds
7 payable to the County in accordance with the usual accounting pro-
8 cedures. The Animal Control Officer shall enforce the provisions
9 of this ordinance and of applicable sections of the State law; he
10 is empowered to issue citations for violations of them.

11 SECTION 15. ANIMAL CONTROL OFFICER'S POWER TO INSPECT

12 The Animal Control Officer shall have the powers of exa-
13 mination and entry upon private premises granted by Section 1908 of
14 the Health & Safety Code.

15 SECTION 16. OPERATION OF POUND

16 The Animal Control Officer may operate such pounds with
17 furnishings, supplies, and equipment as are furnished by the Board.
18 He shall maintain such pounds in a humane and sanitary manner. The
19 Board may contract with adjoining counties or Mariposa County
20 S.P.C.A. or other approved facility within California for the use
21 of its pound and for impounding and disposing of dogs and domestic
22 animals. The Animal Control Officer and County Health Department
23 and Mariposa County S.P.C.A. and other authorized shelters shall
24 maintain records of animals received and disposed of. These records
25 will be destroyed after two (2) years.

26 SECTION 17. DISPOSITION OF FEES AND FINES.

27 All fees for the issuance of dog license tags and all
28 fines collected pursuant to this ordinance shall be paid into the

1 County Treasury and shall be used:

- 2 a. First, to pay fees for the issuance of dog license
3 tags.
- 4 b. Second, to pay fees, salaries, costs, expenses, or
5 any or all of them for the enforcement of this ordi-
6 nance.
- 7 c. Third, to pay damages to owners of livestock which
8 are killed by dogs.
- 9 d. Fourth, to pay costs of any hospitalization or emer-
10 gency care of animals pursuant to Section 597(f) of
11 the Penal Code.

12 SECTION 18. TAGS

13 a. Upon payment of the fee provided in Section 5 hereof
14 and upon presentation of proof that the dog has been vaccinated
15 against rabies within the past thirty (30) months in a manner pre-
16 scribed by and with a vaccine approved by the California State
17 Department of Public Health, a license shall be issued. Such vac-
18 cination must be performed by a licensed veterinarian.

19 b. The County Health Department shall maintain and carry
20 out a system for the procurement, issuance, and recording of dog
21 licenses in accordance with this ordinance. License tags shall be
22 issued, be of durable material, and bear the stamped words
23 "Mariposa County", a number, and the year.

24 c. The number of the license tag issued shall be endorsed
25 upon the application for such license. All applications which have
26 been endorsed shall be maintained on a current basis on file in the
27 office of the Health Department open to public inspection.

28 SECTION 19. TAG NON-TRANSFERABLE

No license tag issued by this County shall be attached to
a dog which is not described in the application for such license.

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SECTION 20. KILLING OR INJURING DOGS, GENERALLY

Except as otherwise provided by this ordinance and subsequent amendments thereto, no person shall kill, injure, or impound any dog whose owner has complied with the provisions of this ordinance.

SECTION 21. KILLING DOGS WORRYING LIVESTOCK

Any person may kill any dog to which the provisions of this ordinance apply in any of the following cases:

- a. The dog is found in the act of killing, wounding, or persistently pursuing livestock or poultry on land or premises not owned or possessed by the owner of the dog.
- b. The dog has no readily visible identification tag or license tag prescribed in Section 2 and is worrying livestock or poultry on land or premises not owned or possessed by the owner of the dog. If the dog has on him any readily visible identification tag or license prescribed by Section 2, and the dog is found in the act of worrying livestock or poultry on land or premises not owned or possessed by the owner of the dog, the dog may only be killed if the owner has been notified that the dog has previously so worried livestock or poultry.
- c. The person has such proof as conclusively shows that the dog has been recently engaged in killing or wounding livestock or poultry on land or premises not owned or possessed by the dog's owner.

No action, civil or criminal, shall be maintained for killing a dog as authorized by this Section.

SECTION 22. SEIZURE OF DOGS

Any dog entering any enclosed or unenclosed property upon which livestock or poultry are confined may be seized by the owner or tenant of the property or any employee of the owner or tenant.

No action, civil or criminal, shall be maintained against the owner, tenant, or employee for the seizure of any such dog.

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SECTION 23. RESTRICTIONS ON KILLING DOGS

The provisions of Sections 20 or 21 hereof shall not permit the killing or seizing of a dog which is under the reasonable control of its owner or keeper, unless the dog is actually caught in the act of worrying, wounding, chasing, or killing livestock or poultry.

SECTION 24. COSTS OF TAKING UP STRAYS

Any dog which is found straying on any farms where livestock are kept, which has attached to its collar the identification tag or dog license tag prescribed in Section 2 hereof, may be taken up, impounded, and detained. The person taking up the dog may recover from the owner, in any court having jurisdiction, his costs incurred as a result of such taking up.

SECTION 25. SEIZING AND IMPOUNDING

Any dog which is found running at large without the identification tag or dog license which is required pursuant to this ordinance may be seized and impounded by any peace officer.

SECTION 26. COLLARS

All dogs, except those specifically excepted by ordinance from this requirement, shall have a collar attached to its neck or leg on which one of the following is fastened:

- a. A metallic tag which gives the name and post office address of the owner; or
- b. A metal license tag which is issued by the authority of the County as described in Section 4 hereof.

SECTION 27. RANGE LIVESTOCK RUNNING AT LARGE

It shall be an infraction punishable under Chapter 1.28, the General Penalty provisions, of this Code, for the owner to allow, suffer, or cause any of his livestock, including but not

1 limited to cattle, pigs, horses, mules, and goats, to run at large
2 on the private property of another person without the permission of
3 the owner or tenant of such private property.

4 SECTION 28. VIOLATIONS

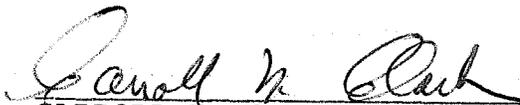
5 Violation of any of the provisions of this ordinance shall
6 constitute an infraction and shall be punishable under Chapter 1.28,
7 the General Penalty provisions, of this Code.

8 SECTION 29. EFFECTIVE DATE

9 This ordinance shall take effect immediately as an emer-
10 gency measure, and a true copy thereof shall be published in the
11 MARIPOSA GAZETTE within fifteen (15) days.

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13 PASSED AND ADOPTED by the Board of Supervisors, County of
14 Mariposa, this 7th day of February, 1978, by the following vote:

- 15 AYES: Clark, Long, Weber, Owings
16 NOES: None
17 NOT VOTING: None
18 ABSENT: Dalton

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21 CARROLL N. CLARK, CHAIRMAN
BOARD OF SUPERVISORS

22 ATTEST:

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24 
25 ELLEN BRONSON, COUNTY CLERK &
EX OFFICIO CLERK OF THE BOARD

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