

Chapter 8.02

ADMINISTRATION

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Section 8.02.010 **Definitions.**

For the purpose of this title, the following words and phrases shall have the meanings given herein:

“Abused dog” shall mean any dog which is mistreated, beaten, tormented or teased, or is deprived of water or food or shelter; or is kept under unsanitary conditions; or is abandoned; or is trained for fighting other animals;

“Animal Control Director” means the duly appointed and acting Director of the Department of Animal Services for the County of Riverside, or the person duly appointed by the City Manager;

“Animal control officer” means those duly appointed and acting deputies of the Animal Control Director assigned to provide animal control field services within the corporate limits of the City and enforce the provisions of this title, and shall include those positions entitled chief animal control officer, supervising animal control officer, senior animal control officer, animal control officer, animal control officer trainee, and license inspector. The title "deputy poundmaster" or "humane officer" as may be used in this title or this code shall mean "animal control officer";

“Animals,” unless otherwise stated, includes birds, fish, mammals and reptiles; “City animal shelter” means the Riverside City and County animal shelter. The term

“City pound” as may be used in this title or this code shall mean the "City animal shelter."

“Department” shall mean and include those individuals that report to the Animal Control Director;

“Official police dog” means any canine trained for law enforcement purposes and used by the Police Department for such purpose, and so designated by the Police Chief by the issuance of distinguishing tags;

“Official police horse” means any equine used by a police officer for law enforcement purposes;

“Owner” means any person, firm or corporation having title to any animal, or a person who has, harbors, or keeps, or who causes or permits to be harbored or kept, an animal in his care, or who permits an animal to remain on or about his premises for a period of seven consecutive days;

"Potentially dangerous dog" means: (1) Any dog which has once actively pursued, attacked, bitten, or otherwise caused a less severe injury than a "substantial injury" (as defined in this section), to another person engaged in a lawful activity; (2) Any dog which has once attacked, bitten, or otherwise caused a less severe injury than a "substantial injury" (as defined in this section), to another animal; (3) Any dog which is found actively pursuing livestock, poultry, dogs, cats or animals;

"Substantial injury" means a substantial impairment of the physical condition of a person or animal which requires professional medical treatment, including, but not limited to, loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; muscle tears, disfiguring lacerations, punctures, or a wound requiring multiple sutures; or any injury requiring corrective or cosmetic surgery;

"Vicious dog" means: (1) Any dog seized under Section 599a of the Penal Code and upon the sustaining of a conviction of the owner or keeper under subdivision (a) of Section 597.5 of the Penal Code; (2) Any dog which, when unprovoked, in an aggressive manner, inflicts injury on or kills a human being or animal; (3) Any dog previously determined to be and currently listed as a potentially dangerous dog which after its owner or keeper has been notified of this determination, continues the behavior described in Section 31602 of the Food and Agricultural Code or is maintained in violation of Section 31641, 31642 or 31643 of the Food and Agricultural Code. (Ord. 7124 § 1, 2011; Ord. 7084 § 1, 2010; Ord. 6219 § 1, 1995; Ord. 6217 § 1, 1995; Ord. 5631 §§ 1, 2, 1988; Ord. 4803 § 1, 1980; Ord. 4112 § 1 (part), 1974)

Section 8.02.020 Enforcement of title--Powers of Animal Control Director and animal control officers.

The Animal Control Director and the Animal control officers shall be primarily responsible for the enforcement of the provisions of this title, with the exception of Section 8.04.140, for which the Police Department shall be primarily responsible. The Animal Control Director and the animal control officers shall have and are vested with the authority to issue a notice to appear as prescribed by Chapter 5C (commencing with Section 853.6) of Title 3 of Part 2 of the California Penal Code in the manner provided by Section 836.5 of the California Penal Code to any person who violates the provisions of this title. (Ord 6653 § 2, 2003; Ord. 6219 § 2, 1995: Ord. 6217 § 2, 1995: Ord. 4112 § 1 (part), 1974)

Section 8.02.030 Interference with officers.

It is unlawful for any person to interfere with or oppose or resist the Chief of Police or any of the officers of the Chief of Police, the Animal Control Director or any of the deputies of the Animal Control Director, or the City health officer or any of the deputies of the City health officer while said officers are engaged in the performance of the duties pertaining to the enforcement of this title. All of the aforementioned officers, deputies or employees are empowered to enforce all of the provisions of this Title. (Ord. 6219 § 3, 1995: Ord. 6217, § 3, 1995: Ord. 4112 § 1 (part), 1974)

Section 8.02.040 Right of entry of certain officials.

The Animal Control Director and any animal control officer, any police officer of the City, and the City health officer or the deputies of the City health officer are empowered to enter upon any private property for the purpose of ascertaining whether any dog kept or harbored therein is afflicted with rabies or hydrophobia or whether or not a license tag has been secured for such dog; provided, however, that no such Animal Control Director, animal control officer, police officer, City health officer, or deputy of the City health officer shall have the right to enter an inhabited dwelling or a locked yard without first having obtained a warrant therefor. (Ord. 6219 § 4, 1995: Ord. 6217 § 4, 1995: Ord. 4112 § 1 (part), 1974)

Section 8.02.050 Disposition of money--Payment of expenses.

All money collected by the poundmaster for licenses, tags or other fees shall be paid into the City treasury for the general fund. All expenses incurred in carrying out or enforcing the provisions of this title shall be paid out of the general fund. (Ord. 4112 § 1 (part), 1974)