

Title 6

ANIMALS

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Chapter 6.02**KEEPING ANIMALS –
REGULATIONS GENERALLY**

Sections:

- 6.02.010 Keeping certain animals prohibited –
Special permits.
6.02.020 Enforcement authority.

**6.02.010 Keeping certain animals prohibited
– Special permits.**

A. The keeping of animals, birds, fowls or rabbits not expressly permitted by Chapters 6.04 and 6.08 CVMC is prohibited unless a special permit is obtained.

B. Special Permits. Special permits may be granted for the maintenance of animals not in strict conformance with the provisions of this title during special events for a period of not more than two months, if the chief of police makes a finding that the public health and welfare will not be endangered thereby, and such animals shall be kept in a manner consistent with the conditions imposed, if any, in such special permit and within the scope thereof. (Ord. 2506 § 1, 1992; Ord. 2052 § 1, 1983; Ord. 774 § 2, 1961).

6.02.020 Enforcement authority.

It shall be the duty of the chief of police to enforce all the provisions of CVMC Title 6. According to the provisions of the California Penal Code Section 830.9, the animal control officers of the city may exercise designated powers of arrest. (Ord. 2506 § 1, 1992; Ord. 774 § 3, 1961).

Chapter 6.04**KEEPING PETS, LIVESTOCK,
BIRDS AND BEES***

Sections:

- 6.04.010 Horses, cattle or sheep – Quantity permitted – Location – Certain conditions deemed nuisance – Abatement.
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6.04.100 Beekeeping permitted when.
6.04.110 Sanitary regulations.
6.04.111 Reptiles prohibited in public places and on property other than owner's.

* For statutory provisions regarding animals running at large, see Agric. Code § 17001, et seq.; for provisions regarding inhumane impounding, see Pen. Code § 597e.

CROSS REFERENCE: Dog Licenses, see Ch. 6.20 CVMC.

6.04.010 Horses, cattle or sheep – Quantity permitted – Location – Certain conditions deemed nuisance – Abatement.

A. No horse, cow or sheep shall be kept or maintained within 100 feet of any dwelling, not including the owner's.

B. One cow or two sheep may be kept by a family on a single tract of land having a minimum of 15,000 square feet, or two horses on a single tract of land having a minimum of 20,000 square feet therein, and containing not more than one single-family dwelling unit thereon. One additional horse may be kept for each 20,000 square feet over the minimum lot area of 20,000 square feet.

C. Any animals kept as hereinabove provided which are responsible for obnoxious odors, objectionable noise, unusual amounts of flies or unsanitary conditions which affect the peace and welfare of the immediate neighborhood are declared to be public nuisances and may be summarily abated by the director of public health. (Ord. 2087 § 1, 1984; Ord. 1558 § 1, 1974; Ord. 1365 § 1, 1971; Ord. 774 § 1, 1961; prior code § 4.1(A), (H)).

6.04.020 Parakeets or similar domestic birds – Quantity permitted.

Fifty (50) parakeets or similar domestic birds may be kept on a tract of land, providing it has a minimum of 7,000 square feet therein. (Ord. 774 § 1, 1961; prior code § 4.1(G)).

6.04.030 Dogs, cats – Quantity permitted in residential zones.

A. Single-family lots of less than 3,500 square feet and all multiple-family dwellings: The keeping of any animal other than one dog and one cat, or two dogs or two cats, per dwelling unit is prohibited.

B. Single-family lots with at least 3,500 square feet but less than 10,000 square feet: The keeping of more than three dogs and three cats is prohibited.

C. Single-family lots with at least 10,000 square feet but less than 15,000 square feet: The keeping of more than four dogs and four cats is prohibited.

D. Single-family lots with at least 15,000 square feet but less than 20,000 square feet: The keeping of more than five dogs and five cats is prohibited.

E. Single-family lots of 20,000 square feet or larger: The keeping of more than six dogs and six cats is prohibited.

F. Nonresidential lots: The keeping of more than three dogs and three cats is prohibited, except as permitted by Chapter 6.08 CVMC for kennels, catteries and pet shops. (Ord. 2267 § 1, 1988; Ord. 1888 § 1, 1980; Ord. 774 § 1, 1961; prior code § 4.1(C)).

6.04.050 Chinchillas or hamsters – Quantity permitted – Housing restrictions.

A. Chinchillas or hamsters may be housed in a basement or garage or in a building attached to the dwelling of their owner, but shall be located a minimum of 50 feet from any other dwelling when housed in a hutch or similar enclosure in a yard.

B. Twenty-five (25) pair of chinchillas or 20 hamsters may be kept by one family on a single tract of land having a minimum of 7,000 square

feet therein and containing not more than one single-family dwelling unit thereon. (Ord. 774 § 1, 1961; prior code § 4.1(I), (B)).

6.04.060 Swine and goats prohibited – Exceptions.

The keeping of hogs, pigs or other swine or goats within the city is expressly prohibited:

A. Where the keeping of any such animals was lawfully established and existing in an area thereafter annexed to the city, such keeping may, without enlargement, be continued for a period not to exceed three years after date of annexation of the area wherein contained;

B. Such animals not exceeding two in number may be maintained for bona fide educational purposes upon application of a public or private school to the city council and approval by the city council, both as to the type and number of animals to be kept for such purposes and the manner of their keeping;

C. One miniature pig, not exceeding 18 inches at the shoulder or 100 pounds, may be kept per dwelling unit. However, the breeding of miniature pigs, for any and all purposes, is expressly prohibited. Owners of miniature pigs shall comply with regulations existing in CVMC 6.04.110 (sanitation) and CVMC Chapters 6.24 (restraint) and 6.26 (vehicular transport safety). In addition to other penal sanctions, an animal control officer or peace officer of the city may, after such notice to the owner as the circumstances permit, seize and remove a miniature pig to an animal shelter. (Ord. 2456 § 1, 1991; Ord. 1585 § 1, 1974; Ord. 1514 § 1, 1974; Ord. 774 § 1, 1961; prior code § 4.1(E)).

6.04.070 Wild animals prohibited – Hawks and falcons excepted when – Other exceptions.

No person shall possess or maintain within the jurisdiction of the ordinance codified in this section any animal which is not normally domesticated in the United States, including, but not limited to, any lion, tiger, bear, nonhuman primate (monkey, chimpanzee, etc.), wolf, cougar, ocelot, wildcat, skunk or venomous snake, irrespective of its actual or asserted state of docility, tameness or domesticity. Such an animal shall be referred to as a “wild animal.” The sale, possession for sale, importation or breeding of a wild animal is absolutely prohibited. This section does not apply to birds, small rodents or small nonpoisonous reptiles commonly used for educational or experimental purposes or for pets.

This section shall not apply to legally operated zoos or circuses or to recognized institutions of learning or scientific research unless the chief of police gives 48 hours' advance notice that, by reason of inadequate caging or other means of protection of the public from such animals, or by the ineffectiveness of sanitation measures, or by a particular hazard connected with the animal or animals involved, the public health and welfare will be endangered. It is further provided that certain raptorial birds or birds of prey, such as hawks and falcons, may be maintained in the city by licensed falconers, who may acquire a qualified ownership of such birds of prey for the practice of falconry by complying with Fish and Game Commission rules and regulations. (Ord. 1792 § 1, 1978; Ord. 1585 § 1, 1974; Ord. 1514 § 1, 1974; Ord. 774 § 1, 1961; prior code § 4.1(F)).

6.04.080 Rabbits, domestic fowl and pigeons – Quantity permitted.

Twelve (12) rabbits, 12 hen chickens, four hen turkeys, four ducks, four geese, 25 pigeons (all breeds) may be kept by one family on a tract of land, providing it has a minimum of 7,000 square feet therein and contains not more than one single-family dwelling unit thereon; provided, however, that the total number of all fowls and rabbits shall not exceed 25. (Ord. 774 § 1, 1961; prior code § 4.6(A)).

6.04.090 Rabbits and domestic fowl – Housing restrictions.

Rabbits and fowl shall be kept or maintained within a building or fenced enclosure in the rear yard, as defined by the zoning ordinance of the city, and shall be not less than 50 feet from any residence, not including the owner's, and not less than five feet from any property line adjacent to the owner's property. The provisions of this subsection shall not apply to parakeets, canaries and similar birds. (Ord. 1639 § 1, 1975; Ord. 774 § 1, 1961; prior code § 4.6(B)).

6.04.100 Beekeeping permitted when.

It is unlawful for any owner or occupant to allow, permit or maintain stands or hives of bees in or upon the owner's or occupant's premises if the premises are within 600 feet of any building used for residential purposes in the city; provided, however, that nothing contained in this section shall be deemed or construed to prohibit the keeping of bees:

A. In a hive or box located in a schoolhouse or museum for the purpose of study or observation;

B. In a hive or box located and kept within a physician's office or laboratory for medical research, medical treatment or scientific purposes;

C. In one hive or box located on residential property for scientific research or study purposes, when maintained in such a manner as to prevent a nuisance or annoyance to surrounding property owners. (Ord. 1030 § 1, 1966; prior code § 4.11.3).

6.04.110 Sanitary regulations.

A. All dead birds or animals or skins shall be kept in tight containers and removed from the premises at least every seven days.

B. All stables, houses, pens, coops, hutches, runways, corrals and yards shall be maintained in a clean and sanitary condition. They shall be cleaned once a week or more often if, in the opinion of the director of public health, it is deemed necessary to prevent an insanitary condition, and shall at all times be free from offensive odors.

C. All stables, houses, coops and hutches shall be lime-washed or painted at least once a year.

D. The floors of every building or coop where birds are kept shall be smooth and tight and be maintained to prevent an accumulation of filth and water or harboring of rodents.

E. If runs are provided, and the ground cannot be kept in a clean and sanitary condition at all times as required by the director of public health, then said runs or pens shall have floors constructed of concrete.

F. Rabbits, chinchillas and hamsters shall be kept in hutches or cages provided with floors that are removable or with a removable tray for the purpose of cleaning and disinfecting.

G. All animal, fowl and rabbit droppings and food scraps shall be removed from the premises at least once a week or more frequently if, in the opinion of the director of public health, it is necessary to prevent an insanitary condition.

H. All food for animals, birds, fowl and rabbits, except hay and straw, shall be stored in containers which offer protection against rodents.

I. No person shall keep or store any fertilizing material except in containers, bins or rooms which are fly-tight, dust-proof, and ventilated in such a manner as to prevent the fertilizer material from becoming a harbor for rodents, or a breeding place for flies.

J. No manure, animal excreta or stable refuse shall be transported except in a vehicle effectively covered to prevent the contents from being

dropped, which vehicle shall have been approved for such transportation by the director of public health. No person shall permit manure, animal excreta or stable refuse to be dropped on any street or public property while being transported in the city. No person shall keep or store manure, animal excreta or stable refuse unless the same shall have been treated with a larvicide satisfactory to the director of public health. (Ord. 774 § 1, 1961; prior code § 4.7).

6.04.111 Reptiles prohibited in public places and on property other than owner's.

It is unlawful for any person who possesses, maintains or has custody of any reptiles, such as snakes, lizards or alligators, to carry, guide, direct or in any way convey such animal upon the public streets, sidewalks, public rights-of-way, public parks or any other public area or upon the property of another without express written permission of the property owner thereof. Any such animals found in the possession, maintenance or custody of persons in the areas defined in this section may forthwith be taken into the custody of the animal regulation officer or peace officers of the city and held in custody until such time as the judiciary shall have determined the disposition thereof. (Ord. 1896 § 1, 1980).

Chapter 6.08

KEEPING COMMERCIAL POULTRY AND RABBITS*

Sections:

- 6.08.010 Definitions.
- 6.08.020 Businesses subject to health regulations.
- 6.08.030 Permit – Required.
- 6.08.040 Permit – Application – Contents – Expiration date.
- 6.08.050 Permit – Inspection fee – Penalty added when – Disposition of moneys.
- 6.08.060 Permit – Grounds for suspension or revocation.
- 6.08.070 *Repealed.*
- 6.08.080 Kennels, catteries and pet shops – Permit prerequisites.
- 6.08.090 Kennels, catteries and pet shops – Location and soundproofing regulations.
- 6.08.100 Kennels, catteries and pet shops – Care of pets and pet foods.
- 6.08.110 Kennels, catteries and pet shops – Sanitary conditions required.
- 6.08.120 Diseased animals – Notice and isolation required – Disposal.
- 6.08.130 Certain conditions deemed nuisance – Abatement authorized.
- 6.08.140 Exceptions to applicability of chapter.

* For statutory provisions regarding inhumane impounding, see Pen. Code § 597e.

6.08.010 Definitions.

For the purpose of this chapter, certain words and phrases are defined as follows, and certain provisions shall be construed as herein set forth, unless it shall be apparent from the context that they have a different meaning:

A. “Cat” means any mammal of the genus *Felis Catus*, of any breed or sex;

B. “Cattery” means a place kept for the purpose of the boarding, breeding, raising, selling or exchanging of cats;

C. “Kennel” means a place kept for the purpose of the boarding, breeding, raising, selling or exchanging of dogs;

D. “Kitten” means a cat of four months or less in age;

E. “Pet shop” means an establishment involved in selling or exchanging (but excluding boarding, breeding or raising) any birds, dogs or other pets,

all of which for the purpose of this chapter are called pets;

F. "Puppy" means a dog of four months or less in age. (Ord. 2267 § 1, 1988; Ord. 774 § 1, 1961; prior code § 4.9).

6.08.020 Businesses subject to health regulations.

Health regulated businesses shall include kennels, catteries, pet shops, dairy farms and the keeping or maintenance of more than 25 fowl and/or rabbits. (Ord. 774 § 1, 1961; prior code § 4.8(A)).

6.08.030 Permit – Required.

It is unlawful for any person to own, control, lease, act as agents for, conduct, operate or manage any kennel, cattery, pet shop, dairy farm or maintain more than 25 fowl and/or rabbits without first applying for and receiving from the health department of the city a permit therefor, as provided for under this chapter. (Ord. 774 § 1, 1961; prior code § 4.8(B)).

6.08.040 Permit – Application – Contents – Expiration date.

Every person applying for a permit shall file with the health department of the city a written application which shall state the name and address of the applicant, and a description of the property wherein or whereon it is proposed to conduct the business of a pet shop, cattery or kennel, or all and other such information as the board of health of the city may require. Every applicant for such permit shall at the time of making application deposit with and pay to the clerk, authorized by the board of health to receive such application, the annual inspection fee hereinafter in this section established.

A permit for which application is made under the provisions of this section may be granted at any time during the year, but all permits granted hereunder shall expire on the thirty-first day of December of the year in which the same are granted. (Ord. 774 § 1, 1961; prior code § 4.8(C)).

6.08.050 Permit – Inspection fee – Penalty added when – Disposition of moneys.

Every person applying for a permit under the provisions of this chapter shall at the time of making application for such permit pay an inspection fee of \$10.00 to the department of health. In any case where the applicant has failed for a period of 30 days to file the application and obtain the permit required by this section, there shall be added to and

collected with the inspection fee a penalty equal to 10 percent of the fee or \$1.00, whichever is the greater; and for each additional month or fraction of a month after the expiration of such 30-day period that the applicant fails to file such application and obtain such permit, there shall be added to and collected with the inspection fee an additional penalty equal to 10 percent of the inspection fee; provided, however, that in no event shall the total penalty added to the inspection fee pursuant to this section be more than 60 percent of the inspection fee. The imposition of or payment of the penalty imposed by this section shall not prevent the imposition of any other penalty prescribed by this chapter or prosecution for violation of this section. All moneys received as inspection fees under the provisions of this code shall be paid into the city treasury and placed in the general fund. (Ord. 774 § 1, 1961; prior code § 4.8(D)).

6.08.060 Permit – Grounds for suspension or revocation.

Permits for kennels, catteries, pet shops, dairy farms, and the maintenance of more than 25 fowl and/or rabbits shall be subject to suspension or revocation by the director of public health upon his findings that, because of any of the conditions mentioned in this chapter, or because of the ineffectiveness of sanitation measures, or a particular or peculiar hazard connected with the animals, fowl, rabbits, or birds involved, the public health and welfare will be endangered unless such action is taken. (Ord. 774 § 1, 1961; prior code § 4.8(E)).

6.08.070 Kennels, catteries and pet shops – Designated.

Repealed by Ord. 2267 § 2, 1988. (Ord. 774 § 1, 1961; prior code § 4.8(F)).

6.08.080 Kennels, catteries and pet shops – Permit prerequisites.

No health permit for the activities included in this chapter shall be valid unless it shall have been certified by the director of planning and building as not being in conflict with ordinances and local regulations concerning planning and zoning. (Ord. 2790, 1999; Ord. 774 § 1, 1961; prior code § 4.8(G)).

6.08.090 Kennels, catteries and pet shops – Location and soundproofing regulations.

All kennels and catteries shall be located in an area which is well isolated and all animals shall be

kept not less than 20 feet from any door, window or opening of any private dwelling. If, however, any kennel or cattery has been established in a congested area, the animals shall be held in a sound-proof room. (Ord. 774 § 1, 1961; prior code § 4.8 (H)).

**6.08.100 Kennels, catteries and pet shops –
Care of pets and pet foods.**

Suitable housing facilities shall be provided to protect pets from inclement weather. Adequate feed and water shall be furnished to all pets. All feed shall be stored in rat-proof containers tightly covered and protected against all rats and other contamination. Meats shall be kept in a properly maintained refrigerator until used. (Ord. 774 § 1, 1961; prior code § 4.8(I)).

**6.08.110 Kennels, catteries and pet shops –
Sanitary conditions required.**

The boards of all structures used for the purpose of housing or keeping pets must be impervious to moisture and be kept in a sanitary condition. All such structures must be whitewashed or painted a light color and maintained in good repair at all times. (Ord. 774 § 1, 1961; prior code § 4.8(J)).

**6.08.120 Diseased animals – Notice and
isolation required – Disposal.**

Whenever any pets shall appear to have any communicable disease, the health department shall be notified immediately of such condition with such information as may be necessary, and such pets shall be immediately isolated from healthy pets. If, in the discretion of the director of public health, said pet is considered a menace to the health of other pets or people, he shall condemn said pet to be removed entirely from the premises and, if necessary, destroyed. No diseased pet shall be sold or given away, nor shall it be otherwise disposed of except in a manner authorized by the director of public health. (Ord. 774 § 1, 1961; prior code § 4.8(K)).

**6.08.130 Certain conditions deemed nuisance
– Abatement authorized.**

The presence of obnoxious odors or insanitary conditions or the failure to muzzle or place in soundproof kennels all dogs barking excessively, or to a degree that annoys the immediate neighborhood, is hereby declared to be a public nuisance and may be summarily abated by the director of public health. (Ord. 774 § 1, 1961; prior code § 4.8(L)).

**6.08.140 Exceptions to applicability of
chapter.**

Nothing contained in this chapter shall be deemed or construed to prohibit the keeping of animals, fowl or rabbits, providing they are kept:

A. In a coop, box or run located and kept within a schoolhouse, museum, or zoo for the purpose of study or observation;

B. In a coop, box or run located and kept within a physician's office or a laboratory for medical research, medical treatment or scientific purposes;

C. On premises zoned for A use. This does not apply to CVMC 6.04.060;

D. On premises where the fowl or rabbits are sold in the ordinary and customary courses of business and are not raised, bred or grown on such premises. (Ord. 774 § 1, 1961; prior code § 4.10).

Chapter 6.12

GRAZING AND IMPOUNDMENT*

Sections:

- 6.12.010 Grazing regulations.
- 6.12.020 Pound established – Maintenance.
- 6.12.030 Impoundment – Procedure generally – Sale of animals authorized when – Procedure.
- 6.12.040 Impoundment – Fees and charges.
- 6.12.045 Disposition of unclaimed dogs – Notice of owner.
- 6.12.050 Disposition of proceeds of sale.
- 6.12.060 Relinquishment of dogs and cats by owner – Fees.

* For statutory provisions regarding dogcatchers, see Agric. Code § 31106; for provisions regarding the impoundment of dogs, see Agric. Code § 31101; for provisions regarding animals running at large, see Agric. Code § 17001, et seq.; for provisions regarding inhumane impounding, see Pen. Code § 597e.

6.12.010 Grazing regulations.

It is unlawful for any person owning or having control of any of the animals mentioned in CVMC 6.04.010 to graze or pasture the same, or cause the same to be done, within the city, unless all such animals are securely staked or fastened so the same shall not injure shade or ornamental trees and cannot go upon or across the travelled portion of any street, alley, or public grounds within the city, or to so stake or fasten any such animal so that the same constitutes running at large of such animal in the city. (Ord. 1979 § 1, 1982; prior code § 4.2).

6.12.020 Pound established – Maintenance.

There is established a city pound for impounding strays and dogs, and the same shall be maintained in the city in a place to be selected by the chief of police and approved by the council. (Ord. 2506 § 1, 1992; prior code § 4.11).

6.12.030 Impoundment – Procedure generally – Sale of animals authorized when – Procedure.

Whenever the chief of police of the city shall discover or be notified that any animal or animals enumerated in CVMC 6.04.010 are running at large, grazing, pasturing, injuring trees or staked or fastened in any manner prohibited by this chapter, it shall be his duty and he is directed to immediately cause such animal or animals to be picked up

and placed in a suitable corral or enclosure for safe-keeping. (Ord. 2506 § 1, 1992; Ord. 1979 § 1, 1982; prior code § 4.3).

6.12.040 Impoundment – Fees and charges.

Standard fees charged by the county animal shelter or county Humane Society for impoundment and boarding of animals shall be lawful charges against the owner or owners or persons in charge of such animals. The agency furnishing services or board shall be entitled to a lien upon the animals for payment of the required fee(s). (Ord. 2506 § 1, 1992; Ord. 1979 § 1, 1982; Ord. 1961 § 1, 1982; Ord. 1814 § 1, 1978; Ord. 833, 1963; prior code § 4.4).

6.12.045 Disposition of unclaimed dogs – Notice of owner.

Every animal impounded under this chapter shall be destroyed, sold at private sale, or given away by the chief of police if not claimed and taken away by the owner, and if an impounding fee plus a fee for boarding and keeping such animal is not paid within three working days. It shall be the duty of the chief of police within 24 hours to attempt to notify personally or by mail the owner of any dog bearing the metal tag or plate mentioned in CVMC 6.20.060. Any person purchasing a dog or cat shall pay the required fee(s). (Ord. 2506 § 1, 1992; Ord. 1906 § 1, 1980).

6.12.050 Disposition of proceeds of sale.

Should any amount from the sale of any animal pursuant to this chapter remain in the custody of the city after deducting all expenses and charges provided for in CVMC 6.12.040, the same shall be placed in the treasury of the city to be paid to the owners of such animals so sold, on proper proof of ownership of such animals, but if not called for in one year from the date of such sale by the owner of such animal, the same shall belong to the city and placed to the credit of the general fund thereof. (Prior code § 4.5).

6.12.060 Relinquishment of dogs and cats by owner – Fees.

Residents of the city of Chula Vista may relinquish dogs and cats to the city upon payment of the required fee(s). Nonresidents of the city of Chula Vista may relinquish dogs and cats to the city, providing such relinquishment is done at the city animal shelter, upon payment of the required fee(s). (Ord. 2506 § 3, 1992).

Chapter 6.16

DEAD ANIMALS*

Sections:

- 6.16.010 Animal defined.
- 6.16.020 Prohibited where – Disposition in certain places deemed nuisance.
- 6.16.030 Disposal – Duty of owner of animal.
- 6.16.040 Disposal – Duty of owner of land or premises.
- 6.16.050 Disposal – Authority of animal control officer.

* For statutory provisions authorizing the city council to declare what constitutes a nuisance, see Gov. Code § 38771; for provisions regarding the abatement of nuisances, see Gov. Code §§ 38773 and 38773.5.

6.16.010 Animal defined.

For the purposes of this chapter, the following definitions apply:

“Animal” shall include, but not be limited to, all of the following:

- A. All animals, whether wild or tame, including, but not limited to, the dog, cat, horse, mule, cattle, sheep, and hog;
- B. All reptiles including, but not limited to, the snake;
- C. All aquatic animals including, but not limited to, fish; and
- D. All birds and all fowl including, but not limited to, the chicken, turkey, and duck. (Ord. 1203 § 1, 1969; prior code § 4.41).

6.16.020 Prohibited where – Disposition in certain places deemed nuisance.

No dead animal shall be deposited or allowed to remain upon any premises within a quarter of a mile of any park, county highway, state highway, or any public highway, road or alley, or any dwelling or other structure used or occupied by a person or persons, or in any standing or running water or in any open excavation, and any animal deposited or allowed to remain upon such premises is hereby declared to be a public nuisance. (Ord. 1203 § 1, 1969; prior code § 4.42).

6.16.030 Disposal – Duty of owner of animal.

It is the duty of the owner of a dead animal to dispose of such dead animal by means of the services of a licensed veterinarian, the animal control officer of the city, or other persons licensed to engage in the work of disposing of dead animals.

(Ord. 2506 § 1, 1992; Ord. 1203 § 1, 1969; prior code § 4.43).

6.16.040 Disposal – Duty of owner of land or premises.

It is the duty of the owner, the occupant and any person having control of the premises referred to in CVMC 6.16.020, on which there is a dead animal, to remove said dead animal from said premises, or otherwise dispose of said dead animal in the manner prescribed in CVMC 6.16.030. (Ord. 1203 § 1, 1969; prior code § 4.44).

6.16.050 Disposal – Authority of animal control officer.

In the event a dead animal is deposited or allowed to remain upon premises in violation of CVMC 6.16.020 and the animal control officer determines that in the interest of protecting the public health the city should forthwith cause the removal and disposal of said dead animal, the animal control officer may act to remove and dispose of said dead animal. Further, the animal control officer is authorized to dispose of dead animals as requested pursuant to CVMC 6.16.030. (Ord. 2506 § 1, 1992; Ord. 1203 § 1, 1969; prior code § 4.45).

Chapter 6.20

DOG LICENSES*

Sections:

- 6.20.010 Dog defined.
- 6.20.020 Required when – Period of validity.
- 6.20.030 Application required – Procedure – Transfer licensing procedures.
- 6.20.040 Fee – Schedule.
- 6.20.050 Penalty for late application or payment.
- 6.20.060 Tag and receipt issuance – Tag to be worn by dog – Replacement – Fee.
- 6.20.070 Fee – Exemptions permitted when.

* For statutory provisions regarding dog license fees, see Gov. Code § 38792 and Agric. Code §§ 30501 and 30502.

CROSS REFERENCE: For provisions regarding the keeping of pets, livestock, birds and bees, see Ch. 6.04 CVMC.

6.20.010 Dog defined.

For the purposes of this chapter, a dog is defined to mean any animal of the genus *Canis familiaris*, of any breed or sex. The provisions of this chapter shall apply to a dog four months of age or older; provided, however, that those provisions related to dogs disturbing the peace or destroying property shall apply to a dog of any age. (Ord. 1253 § 1, 1969; prior code § 4.12).

6.20.020 Required when – Period of validity.

All dogs over the age of four months which are brought into the city, and those dogs which have been in the city upon reaching the age of four months, shall be licensed within 30 days after being brought within the city or upon reaching the age of four months, in accordance with this chapter. This section shall not apply to dogs which are confined to kennels licensed pursuant to this code. Any unlicensed dog, legally impounded in the city pound, shall be presumed for purposes of this section to be, prior to the time of impounding, a dog for which a license is required under this section, regardless of such dog's age or stay in the city.

Dog licenses may be procured for either one or two or three years. They shall be valid only during the year or years for which issued and shall expire on the month it was issued; provided, however, that application for the license or renewal of a license may be made subsequent to 30 days from the date

on which the dog is required to be licensed under this chapter. (Ord. 2201 § 1, 1987; Ord. 2050 § 1, 1983; Ord. 1253 § 1, 1969; prior code § 4.13).

6.20.030 Application required – Procedure – Transfer licensing procedures.

A. A separate application shall be made for each dog. The application shall be made on the form provided by the finance officer and shall be filed with the finance officer. If a dog is acquired by the owner or is brought into the city or reaches the age of four months, the owner shall apply for a license within 30 days thereafter.

B. It is declared to be the intent of this chapter to apply the licensing requirements to all dogs brought into the city, except those accompanying visitors or tourists who do not stay within the city more than 30 days. A dog having a license issued by another legislative authority elsewhere in the state of California, and which has been vaccinated with a vaccine approved for declared rabies areas by the state of California, and the immunization period therefor has not expired, may, upon application of its owner, be issued a transfer license good for the remainder of the year, upon payment of the required filing fee(s). The applicant for such license shall surrender to the finance officer the out-of-city license and evidence of vaccination. The penalties provided in this chapter shall not apply to a license issued under the provisions of this section.

C. Whenever the ownership of a dog has changed, the new owner may secure a transfer of license to him by endorsement on the records of the finance officer, upon the payment of the required transfer fee(s) and the presentation to the finance officer of the original receipt endorsed by the original licensee as a transferrer.

D. Proof of vaccination against rabies, which vaccination is required in compliance with the provisions of this code and the Health and Safety Code of the state of California, shall be a condition precedent to the licensing of any dog under the provisions of this chapter, and the certificate of vaccination which is required by said codes may serve as proof of vaccination. No license may be issued under the provisions of this chapter unless the certificate of vaccination shows that the effective duration of such vaccination shall be for a period of at least 11 months beyond the beginning of the year for which the license is issued, in the case of one-year licenses; for at least 23 months beyond the beginning of the two-year period for which a license is issued, in the case of two-year licenses; and for at least 35 months beyond the

beginning of the three-year period for which a license is issued, in the case of a three-year license.

E. When any dog owner presents evidence that a previously licensed dog is deceased or executes a declaration under penalty of perjury of such a fact, said owner may secure a transfer of the license previously issued to such an animal to a newly acquired dog for the balance of the license period, upon the payment of the required fee(s) and the presentation to the finance officer of proof of vaccination against rabies. The finance officer shall note on the original application the name and description of the animal to which the license has been transferred. (Ord. 2506 § 1, 1992; Ord. 2050 § 1, 1983; Ord. 2011 § 1, 1982; Ord. 1961 § 1, 1982; Ord. 1710 § 1, 1976; Ord. 1253 § 1, 1969; prior code § 4.14).

6.20.040 Fee – Schedule.

The license fee for dogs shall be the required fee(s).

Any dog license tag issued pursuant to this section shall be issued for one-half of the fees listed in the master fee schedule for any dog, if a certificate or affidavit is presented from a licensed veterinarian that said dog has been spayed or neutered. (Ord. 2506 § 1, 1992; Ord. 1961 § 1, 1982; Ord. 1564 § 1, 1974; Ord. 1253 § 1, 1969; prior code § 4.15).

6.20.050 Penalty for late application or payment.

The required penalty fee(s) shall be added to the license fee if application or payment is made subsequent to 30 days from the date on which the dog is required to be licensed under this chapter. The time of application or payment shall be determined as follows: If made by deposit with the United States mail, addressed to the finance officer, and postage prepaid, the postmark, or if none, the postage meter imprint, shall be conclusive; otherwise, the time of actual receipt by the finance officer shall be conclusive. This penalty shall not be added if the dog to be licensed has been in the applicant's possession in the city less than 30 days. (Ord. 2506 § 1, 1992; Ord. 1961 § 1, 1982; Ord. 1253 § 1, 1969; Ord. 939 § 1, 1965; prior code § 4.16).

6.20.060 Tag and receipt issuance – Tag to be worn by dog – Replacement – Fee.

A. A numbered receipt bearing a brief description of a licensed dog and a correspondingly numbered license tag shall be issued with each license granted. The numbered license tag shall be firmly attached by the licensee to the collar or harness of

the dog for which issued, except when the dog is securely confined on or within the premises of the owner. No licensee, or any other person, shall attach, or permit to be attached, such a tag to the collar or harness of, or otherwise cause such tag to be worn or carried by, any dog other than the dog for which such tag was issued.

B. Whenever a license tag has been lost or destroyed, a new receipt and tag, expiring on the same date as the original, may be issued for the same dog, on the payment of the required replacement fee(s). (Ord. 2506 § 1, 1992; Ord. 2050 § 1, 1983; Ord. 1961 § 1, 1982; Ord. 1253 § 1, 1969; prior code § 4.17).

6.20.070 Fee – Exemptions permitted when.

A. Seeing-eye dogs, signal dogs, and service dogs, as defined by the California Civil Code, and dogs which have served with the armed forces of the United States of America during any period of actual hostilities must be licensed and vaccinated under the provisions of this code, but their owners shall be exempt from the license fee imposed by this chapter.

B. Dogs used on farms for the primary purpose of herding livestock must be licensed and vaccinated under the provisions of this code, but their owners shall be exempt from the license fee imposed by this chapter. To qualify for the exemption in this subsection, the owner must furnish an affidavit or declaration under penalty of perjury on blanks furnished by the tax collector that his dog is necessary for herding livestock and is used primarily for that purpose.

C. Dogs used by any governmental agency for the purpose of law enforcement must be licensed and vaccinated under the provisions of this code, but their owners shall be exempt from the license fee imposed by this chapter. (Ord. 2506 § 1, 1992; Ord. 1253 § 1, 1969; prior code § 4.18).

Chapter 6.24

RESTRAINING DOGS*

Sections:

- 6.24.010 Conditions of animal ownership.
- 6.24.020 Running at large prohibited.
- 6.24.030 Restraint of dogs by owner.
- 6.24.040 Disturbing the peace prohibited.
- 6.24.050 Committing nuisance.
- 6.24.060 Female dogs in season.
- 6.24.070 Inhumane treatment and abandonment.
- 6.24.080 Possession of vicious dogs.
- 6.24.090 Entering food establishments prohibited.
- 6.24.100 Complaints.
- 6.24.110 Presumption of responsibility for violation.
- 6.24.120 Enforcement provisions.
- 6.24.130 Violation declared a public nuisance.
- 6.24.140 Harboring of strays.

* For statutory authority for cities to seize and to impound dogs found running at large, see Agric. Code § 31101.

CROSS REFERENCE: For provisions regarding rabies, see Ch. 6.28 CVMC.

Prior legislation: Ords. 1029, 1196, 1628 and 1633; prior code §§ 4.19, 4.20, 4.21, 4.22, 4.23 and 4.27.

6.24.010 Conditions of animal ownership.

Animal owners or keepers must comply with the following conditions of animal ownership, and the animal regulation officer, as a condition of licensing, may require such owners or keepers to sign permit or license applications agreeing to comply with such conditions:

A. Animals shall be restrained or confined as required by law.

B. Animals shall be humanely treated at all times.

C. Vaccinations, licenses, and permits shall be obtained as required by law.

D. Animal premises shall be kept sanitary and shall not constitute a fly-breeding reservoir, a source of offensive odors or of human or animal disease.

E. Animals and animal premises shall not be permitted to disturb the peace or constitute a public nuisance or hazard. (Ord. 1706 § 1, 1976).

6.24.020 Running at large prohibited.

It is unlawful for any person owning, having interest in, harboring or having the care, charge, custody, control or possession of a dog to suffer, allow or permit such dog to:

A. Be upon any public street, alley, park or other public place in the city, including public or private school grounds in the city, unless such dog is restrained by a chain, line or leash and is in the custody of some competent person, or unless such dog is confined within a motor vehicle;

B. Be on premises of a person other than owner, possessor or keeper without consent, or in or upon a vehicle without the consent of the vehicle owner. (Ord. 1706 § 1, 1976).

6.24.030 Restraint of dogs by owner.

Dog owners or persons having care or custody of dogs shall at all times keep their dogs on a leash or within an enclosed area on their own property or the private property of another, with the permission of the owner of that property, so as to prevent them from being at large or stray, from biting or harassing any person engaged in a lawful act, from interfering with the use of public property or with the use of another person's private property, and from being in violation of other sections of this code. However, dogs may be at large while participating in field trials and obedience classes organized and sanctioned by recognized dog clubs, while assisting their owner or trainer in legal hunting or in the herding of livestock, while assisting a peace officer engaged in law enforcement duties, or while being trained for the above purposes on private land with the permission of the land owner, so long as such dogs are under direct and effective sound or gesture control, within sight of such individuals to assure that they do not violate any other provisions of law. (Ord. 1706 § 1, 1976).

6.24.040 Disturbing the peace prohibited.

No person shall own or harbor an animal in such a manner that the peace and quiet of the public is unreasonably disturbed. The written affirmation by two persons, having separate residences, that the violation of CVMC 6.24.010(D) and (E), 6.24.030, 6.24.050 and 6.24.080 disturbs the peace and quiet of said persons shall be prima facie evidence of a violation of this section. The keeping or maintenance, or the permitting to be kept or maintained, on any premises owned, occupied, or controlled by any person, of any animal or fowl which, by frequent or long-continued noise, causes unreasonable annoyance or discomfort to any person of

normal sensitivity in the vicinity shall constitute a violation of this section; provided, however, that nothing contained herein shall be construed to apply to reasonable noises emanating from legally operated dog and cat hospitals, humane societies, pounds, farm and/or agricultural facilities, or areas where the keeping of animals or fowls is permitted. The destruction by an animal of property other than that which belongs to the owner of said animal shall be prima facie evidence of a violation of this section. (Ord. 1706 § 1, 1976).

6.24.050 Committing nuisance.

No person shall allow a dog in his custody to defecate or to urinate on public property or any improved private property other than that of the owner or person having control of the dog. It shall be the duty of all persons having control of a dog to curb such dog in order to carry out the intent of this section. Un sighted persons while relying on a guide dog shall be exempt from this section. If a violation of the above occurs, such persons shall immediately remove any feces to a proper receptacle. (Ord. 1706 § 1, 1976).

6.24.060 Female dogs in season.

Dog owners shall securely confine their female dogs while in season within an enclosure in a manner that will prevent the attraction of male dogs to the immediate vicinity. (Ord. 1706 § 1, 1976).

6.24.070 Inhumane treatment and abandonment.

No person shall treat an animal in a cruel or inhumane manner or willingly or negligently cause or permit any animal to suffer unnecessary torture or pain. No person shall abandon any domestic animal without care on any public or private property. (Ord. 1706 § 2, 1976).

6.24.080 Possession of vicious dogs.

A. The possession of a vicious dog is unlawful. Dogs held in violation of this section shall be deemed a public nuisance, and their continued possession or ownership shall be unlawful. The animal regulation officer may impound any such dog and dispose of it in a humane manner after three working days to allow for legal restraining action by the owner.

B. For purposes of this section, an animal shall be deemed vicious if it clearly demonstrates by its behavior a propensity to attack or bite a person or animal without provocation. The vicious character of a dog does not depend upon the dog having actu-

ally bitten any person or animal, but may be determined by observation of its behavior. Further, a dog which has bitten any person or animal is not necessarily deemed to be vicious, dependent upon the circumstances, such as the intrusion of persons into a confined space on private property, the teasing of the dog, or the cruel treatment of the dog. A dog shall not be deemed to be vicious who acts in protection or in defense of persons or of private property, if properly confined within an enclosure on the premises of the owner or custodian of the animal, which enclosure is violated by any person or animal. Dogs which are specifically maintained for guard dogs or protective purposes must be licensed with the city, showing such special guard or protective use. The owner or custodian of such an animal must stipulate that the premises wherein the animal is maintained are designed and constructed in such a manner as to protect all persons in the surrounding area and persons who may come upon the premises for ordinary and legitimate purposes as well as from children who may, for any reason, be attracted to the premises. In the event that such a dog does bite any person or animal, the quarantine provisions of CVMC 6.28.060 shall be applicable.

C. Any person who has been assaulted or attacked by any dog within the limits of the city, without provocation from the person so assaulted or attacked, may make an affidavit of such fact and file the same with the chief of police immediately, to give notice in writing of the filing of such affidavit to the owner or keeper of such dog. After satisfying the requirements of the quarantine provisions of CVMC 6.28.060, such owner or keeper shall keep such dog securely confined to his premises by line or chain, and if such owner or keeper neglects to so confine such dog, he shall be guilty of a violation of this chapter and the chief of police may have such dog killed at any time thereafter if it is found running at large in the city and not in the immediate care of its owner or keeper, or led by a chain, line or leash. (Ord. 1706 § 2, 1976).

6.24.090 Entering food establishments prohibited.

It is unlawful for any person owning, having an interest in, harboring or having the care, charge, control, custody or possession of any dog to suffer, allow or permit such dog to enter any restaurant, grocery store, milk depot, fruit or vegetable market, meat market, or any other place of business in the city where food or foodstuffs of any character used for human consumption is manufactured, sold, served or handled; provided, however, that

this shall not apply to seeing-eye dogs. (Ord. 1706 § 1, 1976).

6.24.100 Complaints.

Upon receiving a complaint from an identified person alleging a violation of this chapter, and upon receiving the name and address of the owner of the animal, if known, an investigation to determine whether a violation exists shall be made. If the investigation discloses a violation of this chapter, prosecution may be initiated against the owner. Complainants' identities shall be kept confidential to the extent permitted by law. (Ord. 1706 § 2, 1976).

6.24.110 Presumption of responsibility for violation.

In any prosecution involving an animal, charging a violation of any provision referred to in CVMC 6.24.120, proof by the people of the state of California that the particular animal described in the complaint was found in violation of any provision of said sections, together with proof that the defendant named in the complaint was at the time of the alleged violation the owner of the animal, shall constitute prima facie evidence that the owner of the animal was the person responsible for the violation of said provisions involving said animal. However, for the purposes of this section, proof that a person is the owner of said animal is not prima facie evidence that he has violated any other provisions of law. (Ord. 1706 § 2, 1976).

6.24.120 Enforcement provisions.

The animal regulation officer, each agent or deputy thereof who is assigned to duties which include the enforcement of animal regulation laws, and any peace officer are responsible for enforcing the provisions of this chapter and the following provisions of state law, each of which is incorporated by this reference:

A. California Administrative Code: Title 17, Section 2606 to 2606.8;

B. Food and Agricultural Code:

1. Article 1 (commencing with Section 17001) and Article 2 (commencing with Section 17041) of Chapter 7, Division 9, Part 1,

2. Section 17121;

C. Health and Safety Code:

1. Chapter 3 (commencing with Section 1900) of Division 3,

2. Chapter 13 (commencing with Section 25970) of Division 20;

D. Penal Code: Section 148;

E. Any penal law of the state of California relating to or affecting animals. (Ord. 1706 § 2, 1976).

6.24.130 Violation declared a public nuisance.

The introduction, possession or maintenance of any animal, or the allowing of any animal to be in contravention of this chapter is, in addition to being a misdemeanor, hereby declared to be a public nuisance. The animal regulation officers and police officers of the city are hereby authorized, directed and empowered to summarily abate any such public nuisance by any means reasonably necessary, including, but not limited to, the destruction of the animal or animals involved. (Ord. 1706 § 2, 1976).

6.24.140 Harboring of strays.

No person shall harbor or keep any lost or stray dog for a longer period than 24 hours. Any person finding a lost or stray dog shall forthwith notify the animal shelter and turn it over to them. (Ord. 1706 § 2, 1976).

Chapter 6.26**ANIMALS IN VEHICLES**

Sections:

- 6.26.010 Transportation of animals.
6.26.020 Animals in unattended vehicles.

6.26.010 Transportation of animals.

No person shall transport or carry, on any public highway or public roadway, any animal in a motor vehicle unless the animal is safely enclosed within the vehicle or protected by a cab or container, secured cage, cross-tether, harness or other device that will prevent the animal from falling from, being thrown from, or jumping from the motor vehicle. (Ord. 2165 § 1, 1986).

6.26.020 Animals in unattended vehicles.

No person shall leave an animal in any unattended vehicle without adequate ventilation or in such a manner as to subject the animal to extreme temperatures which adversely affect the animal's health or welfare. (Ord. 2165 § 1, 1986).

Chapter 6.28**RABIES CONTROL***

Sections:

- 6.28.010 Dog defined.
6.28.020 Vaccination – Required – Term.
6.28.030 *Repealed.*
6.28.040 Unvaccinated dogs prohibited when.
6.28.050 Vaccination – Exemptions permitted when.
6.28.060 Biting dog to be isolated when – Payment of expenses.
6.28.070 Duty to report animal suspected of having rabies.
6.28.080 Animals bitten by rabid animal – Quarantine or destruction required.
6.28.090 Enforcement and inspection.

* For statutory provisions regarding rabies control, see Health and Saf. Code § 1900, et seq.

CROSS REFERENCE: For provisions regarding restraining dogs, see Ch. 6.24 CVMC.

6.28.010 Dog defined.

For the purpose of this chapter, the word “dog” is defined to be any male, female or neutered dog of the age of four months or over. (Prior code § 4.24).

6.28.020 Vaccination – Required – Term.

It is unlawful for any person owning, having an interest in, harboring or having the care, charge, custody, control or possession of a dog to suffer, allow or permit such dog to go upon the public streets, alleys, parks and public places in the city, unless such dog has been vaccinated for rabies at intervals of not less than every 12 months, unless the health officer of the city establishes by regulation a longer interval of time for such repeated vaccinations, the authority to do which is hereby conferred on him. (Prior code § 4.25).

6.28.030 Vaccination – Obtainable where – Fee.

Repealed by Ord. 2506 § 2, 1992. (Ord. 978 § 1, 1966; Ord. 968 § 1, 1966; prior code § 4.26).

6.28.040 Unvaccinated dogs prohibited when.

Except for a dog which has been exempted by this chapter from the requirements of vaccination, for the reason that it is less than four months of age,

or that the provisions of the following section have been complied with, it is unlawful for any person to keep, harbor or maintain any dog in the City, unless such dog has been vaccinated in accordance with the provisions of this chapter. (Prior code § 4.28).

6.28.050 Vaccination – Exemptions permitted when.

Notwithstanding any other provisions of this code, a dog need not be vaccinated for rabies if a licensed veterinarian has examined the dog and certified that at such time vaccination would endanger the dog's health because of its age, infirmity, debility or other physiological consideration, and such certificate is presented to the Health Officer within 30 days of such examination and he concurs in the opinion of the veterinarian contained in such certificate and endorses on such certificate his approval. The Finance Officer is authorized to accept such endorsed certificates and statements in lieu of the proof of vaccination required by this title. The certificate of the veterinarian must bear the date of issuance and must be renewed each year. (Prior code § 4.28.1).

6.28.060 Biting dog to be isolated when – Payment of expenses.

If any dog shall bite any person or animal within the City, the owner or person having control of such dog shall, upon request of the Health Officer or any peace officer, deliver such dog to such officer to be isolated for 10 days, for the purpose of determining whether or not such dog is afflicted with rabies, and the owner or person having control of such dog shall pay all the expenses of the keeping of such dog during the time the dog shall be so isolated. (Prior code § 4.29).

6.28.070 Duty to report animal suspected of having rabies.

Whenever the owner or person having the custody of an animal shall observe or learn that such animal has shown symptoms of rabies, or is acting in a manner which would lead to the belief that such animal might have rabies, such owner or person having the custody or possession of such animal shall immediately notify the health officer or Chief of Police, and such person shall allow the Health Officer or any peace officer of the City to make an inspection or examination of such animal until it shall be established to the satisfaction of the Health Officer that such animal has or has not rabies. (Prior code § 4.30).

6.28.080 Animals bitten by rabid animal – Quarantine or destruction required.

Whenever any animal shall be bitten by another animal having rabies, the owner or person having the custody, possession, or control of the animal so bitten shall, upon being informed thereof, either kill such animal or quarantine it and keep it tied up for a period of six months, and the Health Officer or the Chief of Police or other peace officer of the City shall have the power to kill or destroy or quarantine the animal so bitten in case the owner or person having the custody, control or possession thereof shall fail to do so immediately, or in the event the owner or person having the care, custody or control of such animal is not readily accessible. (Prior code § 4.31).

6.28.090 Enforcement and inspection.

All proper officials of the City are hereby authorized to examine and enter upon all private premises for the enforcement of this chapter, in accord with the right-of-entry provisions set forth in CVMC 1.16.010. (Prior code § 4.32).

Chapter 6.30

ANIMAL SALES

Sections:

- 6.30.010 Sale of animals, birds, or reptiles on public property or on private property open to the public prohibited.
- 6.30.020 Exceptions.

6.30.010 Sale of animals, birds, or reptiles on public property or on private property open to the public prohibited.

It is unlawful to give away, offer for sale, sell, exchange, or transfer for any form of consideration, or for no consideration, any animal, bird, or reptile on public property or on private property open to the public, including, but not limited to, areas in front of stores, commercial shopping areas, commercial park areas, swap meets, and auctions. (Ord. 3052 § 1, 2006).

6.30.020 Exceptions.

CVMC 6.30.010 shall not apply to:

- A. Any legally recognized nonprofit charitable organization that provides or contracts to provide services as a public animal sheltering agency.
- B. Any legally operated business that sells animals, birds, or reptiles in its normal course of business.
- C. Any nonprofit animal rescue or adoption organization.
- D. Any gift, sale, exchange, or transfer of any animal, bird, or reptile on public property or on private property open to the public that is authorized by federal or State law. (Ord. 3052 § 1, 2006).