

1 ***“Department” shall mean and include those individuals that report to the Animal Control***

2 ***Director;***

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

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

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

12 ~~“Sentry dog” means a dog trained or purported to be trained to work without supervision
13 in a fenced facility and to deter or detain unauthorized persons found within the facility;~~

14 “Vicious dog” means any dog which constitutes a physical threat to a human being or
15 any other domestic animal by virtue of a known propensity to endanger life by an unprovoked
16 assault or bite so as to cause serious bodily harm. Any dog trained, primarily or in part, to attack or
17 fight shall constitute prima facie evidence that the dog has a known propensity to endanger life. A
18 dog shall not be deemed vicious if it: (1) attacks, bites or menaces anyone assaulting the owner of
19 such dog, a trespasser on the property of the owner, or any person or other animal who has
20 tormented or abused it; (2) is otherwise acting in defense of an attack from a person or other animal
21 upon the owner or other person; or (3) is protecting or defending its young or other animal. A dog
22 shall not be deemed vicious if it is an official police dog or a “protection dog” as defined by Section
23 7521(f) of the Business and Professions Code if registered as required by Section 7550.2 of said
Business and Professions Code.

24 ///
25 ///
26 ///
27 ///
28 ///

1 Section 2: That Chapter 8.18 is hereby amended in its entirety as follows:

2 **CHAPTER 8.18 RESIDENTIAL AND COMMERCIAL KENNELS**

3 **Sections:**

- 4 **8.18.010 Definitions.**
5 **8.18.020 Licensing of Residential Kennels and Residential Catteries**
6 **8.18.030 Denial, Suspension, Revocation and Appeal of Residential Kennel**
7 **or Residential Cattery License.**
8 **8.18.040 Licensing of Commercial Kennels**
9 **8.18.050 Development of Commercial Kennels**
10 **8.18.060 Enforcement**

11 **Section 8.18.010 Definitions.**

12 Unless it is apparent from the context that another meaning is intended, the following words,
13 when used herein, shall have the meaning ascribed by this section:

14 “Commercial Kennel” shall have the same meaning as “Kennel” as defined in Chapter
15 19.910 Definitions, of the Municipal Code.

16 “Residential Cattery” means any building, structure, enclosure or premises located in a
17 residential zone whereupon, or within which, ten (10) or more cats, four (4) months of age or older,
18 are kept or maintained.

19 “Residential Kennel” means any building, structure, enclosure or premises located in a
20 residential zone whereupon, or within which five (5) or more dogs, four (4) months of age or older,
21 are kept or maintained.

22 **Section 8.18.020 Licensing Of Residential Kennels and Residential Catteries.**

23 A. No person shall operate or maintain a Residential Kennel or a Residential Cattery as
24 those terms are defined in Section 8.18.010 of this Chapter without first obtaining an appropriate
25 license from the Animal Control Director. Such license shall be valid for a period of either one (1)
26 or two (2) years from the date of issuance, except that the Animal Control Director may, in his/her
27 discretion, limit the duration of the license to one (1) year when he/she deems such limitation to be
28 appropriate. Said license shall be renewed within thirty (30) days after the date of expiration. The
Residential Kennel license fees, and late fees if an application for a license is made more than thirty
(30) days after the date such license is required, shall be set forth by resolution adopted by the City
Council.

1 **B.** Application for a Residential Kennel or a Residential Cattery license shall be filed with
2 the Animal Control Director on a form prescribed by him or her not later than ten (10) days after
3 obtaining written verification from the City of Riverside that the operation of the Residential Kennel
4 or a Residential Cattery is in compliance with the applicable provisions of the Riverside Municipal
5 Code. The application form, when completed, shall contain such information as may reasonably be
6 required by the Animal Control Director for the purposes of enforcement of this chapter, including
7 but not limited to the current home telephone number of the caretaker of the subject Residential
8 Kennel or a Residential Cattery and another current telephone number for emergency use or
9 messages when such caretaker is absent from the subject kennel or cattery. Where a Residential
10 Kennel or a Residential Cattery is sought to be operated upon leased or rented premises, a letter of
11 consent from the owner of the premises to the effect that the Residential Kennel or a Residential
12 Cattery may be maintained and operated on such premises shall be submitted to the Animal Control
13 Director at the time the application for the Residential Kennel or a Residential Cattery license is
14 submitted.

15 **C.** After receipt of a Residential Kennel or a Residential Cattery license application, the
16 Animal Control Director shall make an inspection of the premises of the Residential Kennel or a
17 Residential Cattery for which a license is requested. No Residential Kennel or a Residential Cattery
18 license shall be issued nor shall any such license be renewed, unless and until the Residential Kennel
19 or a Residential Cattery, in the opinion of the Animal Control Director, satisfies the applicable laws
20 and regulations of the state of California, the applicable sections of the Riverside Municipal Code
21 and the applicable conditions set forth in the standards for kennels and catteries adopted by the City
22 Manager.

23 **D.** Notwithstanding any other provision of this chapter, the Animal Control Director is
24 authorized to enter upon and inspect the premises of any Residential Kennel or a Residential Cattery
25 located in the city for the purpose of determining whether such kennel or cattery is in compliance
26 with the provisions of this chapter and the standards for kennels and catteries referred to in
27 subsection C of this section. As a condition of the issuance of a Residential Kennel or a Residential
28 Cattery license, each owner and operator of a Residential Kennel or a Residential Cattery shall agree
to allow such entry and inspection, and such agreement shall be made a part of the license
application. Such inspections shall be made during reasonable hours at times when the owner or

1 operator of the Residential Kennel or a Residential Cattery is present on the Residential Kennel or a
2 Residential Cattery premises, and with such frequency as the Animal Control Director shall deem
3 appropriate, and such inspections may, at the discretion of the Animal Control Director, be made
4 without prior notice to the owner or operator of the subject Residential Kennel or a Residential
5 Cattery. Willful refusal on the part of a Residential Kennel or a Residential Cattery owner or
6 operator to allow such inspection shall be grounds for summary denial of an application for a
7 Residential Kennel or a Residential Cattery license or for summary suspension or revocation of a
8 Residential Kennel or a Residential Cattery license.

9 **E.** A nonprofit corporation formed pursuant to the provisions of the California Corporations
10 Code commencing with Section 10400, for the prevention of cruelty to animals, shall not be required
11 to pay a fee for the licenses required by subsection A of this section for a Residential Kennel or a
12 Residential Cattery; provided, however, that all other provisions of Chapter 8.18 and this section
13 shall be applicable to any such nonprofit corporation.

14 **F.** Any person owning, keeping or maintaining five (5) or more dogs, or ten (10) or more
15 cats prior to the date of the adoption of this code section, shall, for a period of twenty (20) years, be
16 allowed to own, keep or maintain those specific animals that were properly licensed pursuant to
17 Chapter 8.12 and which were owned, kept or maintained prior to the adoption of this section be
18 exempted from the kennel or cattery license requirements of this section.

19 **Section 8.18.030 Denial, Suspension, Revocation and Appeal of a Residential
20 Kennel or a Residential Cattery License.**

21 **A.** The Animal Control Director may, in his or her discretion, deny any application for a
22 Residential Kennel or a Residential Cattery license whether such application is for an original
23 license or renewal of a license, and may suspend or revoke any Residential Kennel or a Residential
24 Cattery license if he or she finds that a kennel or cattery fails to meet any or all of the standards for
25 Residential Kennels or a Residential Catteries referred to in this Section 8.18.020 or is in violation of
26 any law of the state of California or any provision of this chapter, any provision of any other City
27 code or provision of a conditional use permit.

28 **B.** When such denial, suspension or revocation occurs, the director shall prepare a written
notice of such denial, suspension or revocation which shall contain a brief statement of the reason or
reasons for such denial, suspension or revocation. The director shall serve such notice upon the

1 applicant or licensee by hand-delivery or by registered or certified mail, postage prepaid, return
2 receipt requested or by any overnight delivery service. Denial, suspension or revocation shall be
3 effective thirty (30) days after service of such notice. Where an application for a Residential Kennel
4 or a Residential Cattery license is denied or where a Residential Kennel or a Residential Cattery
5 license issued pursuant to this chapter is revoked, no application for a new license for such
6 Residential Kennel or a Residential Cattery shall be considered for a period of one (1) year from the
7 effective date of such denial or revocation; provided, however, that for good cause shown the
8 Animal Control Director may direct that there be a lesser period of time before such application will
9 be considered.

10 C. Any person (appellant) whose application has been denied or whose license has not been
11 renewed, or whose license has been suspended or revoked, may appeal such denial, nonrenewal,
12 suspension or revocation by filing with the Animal Control Director or his/her designee within
13 fifteen (15) days after notice of such denial, suspension or revocation, a written notice of appeal
14 briefly setting forth the reasons why the appellant alleges such denial, nonrenewal, suspension or
15 revocation is improper. The Animal Control Director or designee shall set a hearing date for the
16 appeal and shall give written notice of the date, time and place of such hearing to the appellant, and
17 such notice shall be sent by registered or certified mail, postage prepaid, return receipt requested.
18 The date of hearing shall be not less than ten (10) days from the date of mailing of the notice of the
19 date, time and place of the hearing, and the hearing shall be conducted not later than forty-five (45)
20 days from the date of mailing of the notice of denial, nonrenewal, suspension or revocation;
21 provided, however, that at the request of the appellant, the Director may extend the hearing date for a
22 reasonable period beyond the aforementioned forty-five (45) day limit. The appeal shall be heard by
23 an Administrative Hearing Officer as defined by section 1.17.020 of the Riverside Municipal Code
24 and with the qualification and authority outlined in section 1.17.160, which may modify or reverse
25 the denial, nonrenewal, suspension or revocation. Further, the Administrative Hearing Officer shall
26 prepare a detailed written decision. In conducting the hearing, the Administrative Hearing Officer
27 shall not be limited by the technical rules relating to evidence and witnesses, as applicable in courts
28 of law. To be admissible, evidence shall be of the type upon which responsible persons are
accustomed to rely in the conduct of serious affairs.

1 During the pendency of the appeal, there shall be in effect an automatic stay of the denial,
2 nonrenewal, suspension or revocation; provided, however, that during the period of pendency the
3 Animal Control Director may take such action as he or she deems appropriate under this chapter or
4 any other provision of law respecting the subject kennel or cattery, including but not limited to the
5 abatement of public nuisances, inspection of the kennel or cattery premises, or the prosecution of
6 any violation of the Riverside Municipal Code or any other provision of law not related to the failure
7 of the subject kennel or cattery to be currently and otherwise validly licensed.

8 Any person aggrieved by the order of the Administrative Hearing Officer may obtain judicial
9 review of that order by filing a petition for review with the Superior Court of Riverside County in
10 accordance with the timelines and provisions set forth in California Code of Civil Procedure section
11 1094.6.

12 **Section 8.18.040 Licensing of Commercial Kennels.**

13 Every person owning or operating a Commercial Kennel shall pay to the City an annual
14 license fee for such kennel. Such license fee shall be due and payable on the first day of January of
15 each year, and said license shall be for the period of one year commencing on the first day of
16 January. Failure to pay said license fee shall subject the Commercial Kennel to the enforcement
17 provisions of this chapter, as well as revocation of the use permit issued under Title 19. The license
18 fee, and late fees if an application for a license is made more than thirty (30) days after the date such
19 license is required, shall be set forth by resolution adopted by the City Council.

20 **Section 8.18.050 Development of Commercial Kennels.**

21 All Commercial Kennels shall comply with all the provisions and requirement of Chapter
22 19.270 of the Municipal Code. In addition, all Commercial Kennels shall be so constructed as to
23 prevent dogs confined therein from running at large off the premises where said kennels are
24 maintained. All Commercial Kennels shall be operated and constructed in a sanitary and proper
25 manner so the same will not become a nuisance to the neighborhood in which such kennel is located.

26 **Section 8.18.060 Enforcement.**

27 The provisions of this chapter may be enforced through the administrative code
28 enforcement remedies set forth in Chapter 1.17 of this code in addition to all other proceedings
authorized by this code or otherwise by law.

1 Section 3: That Chapter 8.21 is hereby added as follows:

2 **CHAPTER 8.21 SPAY, NEUTER AND MICROCHIP**

3 **Sections:**

4 **8.21.010 Spay and Neuter.**

5 **8.21.020 Penalties for Failure to Spay or Neuter.**

6 **8.21.003 Microchipping of dogs and cats.**

7 **Section 8.21.010 Spay and Neuter.**

8 A. 1. Requirement. No person may own, keep, or harbor an unaltered and unspayed dog or
9 cat over the age of four months in violation of this section. An owner or custodian of an unaltered
10 dog must have the dog spayed or neutered, or provide a certificate of sterility, or obtain an unaltered
11 dog license in accordance with this chapter. An owner or custodian of an unaltered cat must have the
12 animal spayed or neutered, or provide a certificate of sterility.

13 2. Exemptions. This section shall not apply to any of the following:

14 a. A dog with a high likelihood of suffering serious bodily harm or death if
15 spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation
16 of this fact from a California Licensed Veterinarian. If the dog is able to be safely spayed or neutered
17 at a later date, that date must be stated in the written confirmation; should this date be later than
18 thirty (30) days, the owner or custodian must apply for an unaltered dog license.

19 b. A cat with a high likelihood of suffering serious bodily harm or death if
20 spayed or neutered, due to age or infirmity. The owner or custodian must obtain written confirmation
21 of this fact from a California Licensed Veterinarian. If the cat is able to be safely spayed or neutered
22 at a later date, that date must be stated in the written confirmation.

23 c. Animals owned by recognized dog or cat breeders, as defined by
24 Department policy.

25 B. Denial or revocation of unaltered dog license and reapplication.

26 1. The Animal Control Director or his/her designee may deny or revoke an unaltered
27 dog license for one or more of
28 the following reasons:

 a. The owner, custodian, applicant or licensee is not in compliance with all
of the requirements of this section;

 b. The Department has received at least three complaints, verified by the

1 Department, that the owner, custodian, applicant, or licensee has allowed a dog to be stray or run at
2 large or has otherwise been found to be neglectful of his or her or other animals;

3 c. The owner, custodian, applicant, or licensee has been previously cited for
4 violating a State law, city code or other municipal provision relating to the care and control of
5 animals;

6 d. The unaltered dog has been adjudicated by a court or an agency of
7 appropriate jurisdiction to be potentially dangerous, dangerous or vicious, or to be nuisance within
8 the meaning of the Riverside Municipal Code or under state law;

9 e. Any unaltered dog license held by the applicant has been revoked;

10 f. The license application is discovered to contain a material
11 misrepresentation or omission of fact.

12 2. Re-application for unaltered dog license:

13 a. When an unaltered dog license is denied, the applicant may re-apply for a
14 license upon changed circumstances and a showing that the requirements of this chapter have been
15 met. The department shall refund one-half of the license fee when the application is denied. The
16 applicant shall pay the full fee upon re-application.

17 b. When an unaltered dog license is revoked, the owner or custodian of the
18 dog may apply for a new license after a thirty (30) day waiting period upon showing that the
19 requirements of this chapter have been met. No part of an unaltered dog license fee is refundable
20 when a license is revoked and the applicant shall pay the full fee upon re-application.

21 **C. Appeal of denial or revocation of unaltered dog license.**

22 1. Request for hearing.

23 a. Notice of intent to deny or revoke. The Department shall mail to the
24 owner, custodian, licensee, or applicant a written notice of its intent to deny or revoke the license for
25 an unaltered dog which includes the reason(s) for the denial or revocation. The owner, custodian,
26 licensee or applicant may request a hearing to appeal the denial or revocation by filing such request
27 with the Animal Control Director and/or his/her designee. The request must be made in writing
28 within fifteen (15) days after the notice of intent to deny or revoke is mailed. Failure to submit a
timely written hearing request shall be deemed a waiver of the right to appeal the license denial or
revocation.

1 b. Administrative Hearing Officer. Defined by code section 1.17.020 with
2 the qualifications and authority outlined in code section 1.17.160.

3 c. Notice and conduct of hearing. The Animal Control Director or his/her
4 designee shall mail a written notice of the date, time, and place for the hearing not less than ten (10)
5 days before the hearing date. The hearing date shall be no more than forty-five (45) days after the
6 Department's receipt of the request for a hearing. The hearing will be informal and the rules of
7 evidence will not be strictly observed. The Administrative Hearing Officer shall prepare and mail a
8 written decision to the owner or custodian after the hearing. The decision of the Administrative
9 Hearing Officer shall be the final administrative decision.

10 d. Judicial Review of Administrative Decision. Any person aggrieved by the
11 order of the Administrative Hearing Officer may obtain judicial review of that order by filing a
12 petition for review with the Superior Court of Riverside County in accordance with the timelines and
13 provisions set forth in California Code of Civil Procedure section 1094.6.

14 2. Change in location of dog. If the dog is moved after the department has issued a
15 letter of intent to deny or revoke, but has not yet denied or revoked the license, the owner, custodian,
16 licensee, or applicant must provide the department with information as to the dog's whereabouts,
17 including the current owner or custodian's name, address, and telephone number.

18 **D. Transfer, sale, and breeding of unaltered dog or cat.**

19 1. Offer for sale or transfer of unaltered dog. An owner or custodian who offers any
20 unaltered dog for sale, trade, or adoption must include a valid unaltered dog license number with the
21 offer of sale, trade or adoption, or otherwise state and establish compliance with this section. An
22 owner or custodian of an unaltered dog must notify the department of the name and address of the
23 transferee within ten (10) days after the transfer. The unaltered license and microchip numbers must
24 appear on a document transferring the animal to the new owner.

25 2. Offer for sale or transfer of unaltered cat. An owner or custodian of an unaltered
26 cat must notify the department of the name and address of the transferee within ten (10) days after
27 the transfer. The microchip numbers must appear on a document transferring the animal to the new
28 owner.

E. Impoundment of unaltered dog or cat.

 1. When an unaltered dog or cat is impounded pursuant to state and/or local law, in

1 addition to satisfying applicable requirements for the release of the animal, including but not limited
2 to payment of impound fees pursuant to this chapter, the owner or custodian shall also do one of the
3 following:

4 a. Provide written proof of the dog or cat's prior sterilization, if conditions
5 cannot or do not make this assessment obvious to Department personnel;

6 b. Have the dog or cat spayed or neutered by a Department veterinarian at
7 the expense of the owner or custodian. Such expense may include additional fees due to
8 extraordinary care required;

9 c. Have the dog or cat spayed or neutered by another California licensed
10 veterinarian. The owner or custodian may arrange for another California licensed veterinarian to
11 spay or neuter the animal, and shall pay to the Department the cost to deliver said animal to the
12 chosen veterinarian. The cost to deliver the animal shall be based on the Department's hourly rate
13 established by the auditor-controller. The veterinarian shall complete and return to the Department
14 within ten (10) days, a statement confirming that the dog or cat has been spayed or neutered or is, in
15 fact, incapable of breeding and shall release the dog or cat to the owner or custodian only after the
16 spay or neuter procedure is complete;

17 d. At the discretion of the Animal Control Director, the dog or cat may be
18 released to the owner or custodian if he or she signs a statement under penalty of perjury,
19 representing that the dog or cat will be spayed or neutered and that he or she will submit a statement
20 within ten (10) days of the release, signed by a California licensed veterinarian, confirming that the
21 dog or cat has been spayed or neutered or is incapable of breeding; or

22 2. Costs of impoundment.

23 a. The owner or custodian of the unaltered dog or cat shall be responsible
24 for the costs of impoundment, which shall include daily board costs, vaccination/medication, and
25 any other diagnostic or therapeutic applications as provided in this chapter.

26 b. The costs of impoundment shall be a lien on the dog or cat, and the
27 unaltered animal shall not be returned to its owner or custodian until the costs are paid or other
28 arrangements are made including, but not limited to, a payment plan. If the owner or custodian of an
impounded unaltered animal does not pay the lien against it in full within fourteen (14) days, the
animal shall be deemed abandoned and become the property of the Department.

1 **F.** Application of fees and fines collected. All costs and fines collected under this part and
2 the fees collected under this section shall be paid to the City of Riverside for the purpose of
3 defraying the cost of the implementation and enforcement of this program.

4 **Section 8.21.020 Penalties for Failure to Spay or Neuter**

5 Penalties issued for failure to spay or neuter a dog or cat shall be enforced as set forth below:

6 **A.** An administrative citation, infraction, or other such authorized penalty may be
7 issued to an owner or custodian of an unaltered dog or cat for a violation of this section only when
8 the owner or custodian is concurrently cited for another violation under State or local law pertaining
9 to the obligations of a person owning or possessing a dog or cat. Examples of such State law or local
10 ordinance violations include, but are not limited to, failure to possess a current canine rabies
11 vaccination of the subject dog; dog or cat at large; failure to license a dog; leash law violations;
12 kennel or cattery permit violations; tethering violations; unhealthy or unsanitary conditions; failure
13 to provide adequate care for the subject dog or cat in violation of the Penal Code; rabies quarantine
14 violations for the subject dog; operating a business without a license and/or lack of State Tax ID
15 Number; fighting dog activity in violation of Penal Code section 597.5; animals left unattended in
16 motor vehicles; potentially dangerous, dangerous or vicious animals; and noisy animals.

17 **B.** Should the owner or custodian of an unaltered dog or cat be found in violation of
18 a State or local law, as stated above, in subsection (1), the owner or custodian shall be required to
19 spay or neuter the unaltered animal in accordance with this section.

20 **Section 8.21.030 Microchipping of Dogs and Cats.**

21 **A.** All dogs and cats over the age of four (4) months must be implanted with an identifying
22 microchip. The owner or custodian is required to provide the microchip number to the Department,
23 and shall notify the Department of any change of ownership of the dog or cat, or any change of
24 address or telephone number. Nothing in this section supersedes, eliminates, or alters the
25 requirements of Sections 8.12.010, 8.18.020, and any other licensing requirements of Title 8.

26 **B.** Exemptions. The mandatory microchipping requirements shall not apply to any of the
27 following:

28 1. A dog or cat with a high likelihood of suffering serious bodily injury, if implanted
with the microchip identification, due to the health conditions of the animal. The owner or custodian
must obtain written confirmation of that fact from a California licensed veterinarian. If the dog or cat

1 is able to be safely implanted with an identifying microchip at a later date, that date must be stated in
2 the written confirmation.

3 2. A dog or cat that is kenneled or trained in the City of Riverside, but is owned by
4 an individual that does not reside in the City of Riverside. The owner or custodian must keep and
5 maintain the animal in accordance with the applicable laws and ordinances of the jurisdiction in
6 which the owner or custodian of the animal permanently resides, including but not limited to the
7 applicable licensing and rabies vaccination requirements of that jurisdiction.

8 3. A dog or cat over the age of ten (10) years.

9 **C. Transfer, sale of dogs and cats.**

10 1. An owner or custodian who offers any dog, over the age of four (4) months, for
11 sale, trade, or adoption must provide the microchip identification number and the valid dog license
12 number with the offer of sale, trade or adoption. The license and microchip numbers must appear on
13 a document transferring the dog to the new owner. The owner or custodian shall also advise the
14 Department of the name and address of the new owner or custodian in accordance with subdivision
15 (a) of this section. An owner or custodian who offers any dog, over the age of four (4) months, for
16 sale, trade, or adoption and fails to provide the Department with the name and address of the new
17 owner, is in violation of this chapter and shall be subject to the penalties set forth herein.

18 2. An owner or custodian who offers any cat, over the age of four (4) months, for
19 sale, trade, or adoption must provide the microchip identification number with the offer of sale, trade
20 or adoption. The microchip numbers must appear on a document transferring the cat to the new
21 owner. The owner or custodian shall also advise the Department of the name and address of the new
22 owner or custodian in accordance with subdivision (A) of this section. An owner or custodian who
23 offers any cat, over the age of four (4) months, for sale, trade, or adoption and fails to provide the
24 Department with the name and address of the new owner, is in violation of this chapter and shall be
25 subject to the penalties set forth herein.

26 3. When a puppy or kitten under the age of four (4) months implanted with
27 microchip identification is sold or otherwise transferred to another person, the owner or custodian
28 shall advise the Department of the name and address of the new owner or custodian, and the
microchip number of the puppy or kitten within ten (10) days after the transfer. If it is discovered
that an owner or custodian has failed to provide the Department with the name and address of the

1 new owner and the microchip number of the puppy or kitten, the owner or custodian shall be subject
2 to the administrative remedies set forth in Chapter 1.17.

3 **D.** When an impounded dog or cat is without microchip identification, in addition to
4 satisfying applicable requirements for the release of the animal, including but not limited to payment
5 of impound fees pursuant to this chapter, the owner or custodian shall also do one of the following:

6 1. Have the dog or cat implanted with a Department microchip by a Department
7 registered veterinarian technician or veterinarian or designated personnel at the expense of the owner
8 or custodian;

9 2. Have the dog or cat implanted with a department approved microchip by a
10 California licensed veterinarian. The owner or custodian may arrange for another California licensed
11 veterinarian to perform the implant, and shall pay to the department the cost to deliver the dog or cat
12 to the chosen veterinarian. The veterinarian shall complete and return to the Department within ten
13 (10) days, a statement confirming that the microchip has been implanted, provide the Department
14 with the number and shall release the dog or cat to the owner or custodian only after the procedure is
15 complete; or

16 3. At the discretion of the Animal Control Director, the dog or cat may be released
17 to the owner or custodian if he or she signs a statement under penalty of perjury, representing that
18 the dog or cat will be implanted with a microchip and that he or she will submit a statement within
19 ten (10) days of the release, signed by a California licensed veterinarian, confirming that the dog or
20 cat has been so implanted and provide the microchip number to the Department or allow the
21 Department to scan the dog or cat for the microchip to verify.

22 **E.** Fees for microchip identification device. The fee for an identifying microchip device
23 shall be included in the cost of adoption when adopting a dog or cat from an animal shelter operated
24 by the Department. If an animal has already been implanted with an identifying microchip device by
25 some other facility, there will be no fee to have the identification microchip number entered into the
26 Department's registry as required by subdivision (A) of this section.

27 **F.** Application of fees and fines collected. All costs and fines collected under this part and
28 the fees collected under this section shall be paid to the City of Riverside for the purpose of
defraying the cost of the implementation and enforcement of this program.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Abstain:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
City of Riverside, California, this _____ day of _____, 200__.

City Clerk of the City of Riverside

O:\Cyc\com\WPDocs\D003\P009\00011465.DOC
CA 06-2336.1
05/05/10

DRAFT