

ORDINANCE NO. 9528 (N.S.)

AN ORDINANCE AMENDING VARIOUS
SECTIONS OF THE SAN DIEGO COUNTY CODE
RELATING TO THE NAME OF THE
DEPARTMENT OF ANIMAL CONTROL

The Board of Supervisors of the County of San Diego ordains as follows:

Section 1. The Board of Supervisors finds and determines that references to the Department of Animal Control should be changed to the Department of Animal Services and references to Director of Animal Control should be changed to Director of Animal Services to be consistent with the change in the department's name to Department of Animal Services.

Section 2. Section 16.102 of the San Diego County Code is hereby amended to read as follows:

SEC. 16.102. ISSUING OFFICER.

All licenses issued shall be issued by the issuing officer, who, in the case of licenses or permits for kennels, guard dog operators, and dog guard premises shall be the Department of Animal Services, and in all other cases the Sheriff.

Section 3. Section 41.102.1 of the San Diego County Code is hereby amended to read as follows:

SEC. 41.102.1. ENFORCEMENT RESPONSIBILITIES OF DEPARTMENT OF ANIMAL SERVICES.

Each officer and employee in the Department of Animal Services who is assigned to duties which include the enforcement of animal control laws are responsible for enforcing the pet control provisions of this chapter and those rules and regulations of the Director which relate to pet control and shall take appropriate action in the case of any violations thereof. Such enforcement authority shall be the same as that provided in Chapter 6, Division 2, Title 6 of this Code and amendments made thereto. Each of the aforementioned individuals shall have the power to make arrests for violations of the pet control provisions of this chapter to issue citations for such violations as provided in Section 13.101 of this Code. However, the Director shall determine whether the appropriate enforcement action shall be encouraging voluntary compliance or issuing citations.

Section 4. Section 62.601 of the San Diego County Code is hereby amended to read as follows:

SEC. 62.601 DEFINITIONS.

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

- (a) No change.
- (b) No change.
- (c) No change.
- (d) No change.
- (e) No change.
- (f) No change.
- (g) No change.
- (h) No change.
- (i) “COUNTY ANIMAL SHELTER” means a premises selected by the Director of Animal Services as a suitable facility for the requirements of this chapter.
- (j) No change.
- (k) No change.
- (l) No change.
- (m) “DEPARTMENT” means the County of San Diego, Department of Animal Services, its agents or deputies.
- (n) “DIRECTOR” means the County of San Diego, Director of Animal Services, his/her agents and deputies.
- (o) No change.
- (p) No change.
- (q) No change.
- (r) No change.
- (s) No change.

- (t) No change.
- (u) No change.
- (v) No change.
- (w) No change.
- (x) No change.
- (y) No change.
- (z) No change.
- (aa) No change.
- (bb) No change.
- (cc) No change.
- (dd) No change.
- (ee) No change.
- (ff) No change.
- (gg) No change.
- (hh) No change.
- (ii) No change.
- (jj) No change.
- (kk) No change.
- (ll) No change.
- (mm) No change.
- (nn) No change.
- (oo) No change.

Section 5. Section 62.623 of the San Diego County Code is hereby amended to read as follows:

Sec. 62.623. CHANGE OF ADDRESS.

The address of the owner is presumed to be the address where the dog is kept. Any change of address must be reported to the Department of Animal Services within thirty (30) days following such change.

Section 6. Section 62.630 of the San Diego County Code is hereby amended to read as follows:

SEC. 62.630. ESTABLISHMENT OF ANIMAL SHELTERS.

The Director of Animal Services shall, with the approval of the Board of Supervisors, establish as many animal shelters throughout the County as he/she shall determine to be necessary for the performance of his/her duties.

Section 7. Section 62.685 of the San Diego County Code is amended to read as follows:

SEC. 62.685. PROTECTION DOGS.

- (a) GENERAL PROVISIONS. Any "Protection Dog Operator" shall:
- (1) No change.
 - (2) Notify the local law enforcement agency and fire department which provide fire suppression services, and the Director of Animal Services, in writing of the location of the "Protection Dog Operator" office, base facility, and/or kennel, where any dogs are maintained for any period.
 - (3) No change.
 - (4) No change.
 - (5) Provide positive identification for each dog by implantation of a microchip of a type and in a manner approved by the Department. The "Protection Dog Operator" shall also provide the Director of Animal Services with a written list of dogs to be assigned to any facility within the unincorporated area of San Diego County or any city in which the Department provides animal control services. Such list shall include each dog's name and description, along with the license and identification numbers.

- (6) Notify the local law enforcement agency and fire department which provide police and fire suppression services, and the Director of Animal Services, in writing prior to, but not more than, fifteen (15) days before a dog is sent on an assignment of the location and duration of such assignment. In addition, such notification shall be provided, within fifteen (15) days, when the assignment of a dog is terminated.
- (7) No change.
- (8) Obtain and maintain liability insurance issued by an insurance company authorized to transact business in this state which provides minimum limits of insurance of five hundred thousand dollars (\$500,000) for any one loss due to bodily injury or death and five hundred thousand dollars (\$500,000) for any one loss due to injury or destruction of property. The "Protection Dog Operator" shall also furnish the Director of Animal Services with a certificate or photocopy of the insurance policy and notify the Director at least ten (10) days prior to cancellation or non-renewal of the policy.
- (9) No change.
- (10) Provide a written statement to any person who obtains a "Protection Dog" on hire, prior to a dog being sent on assignment, containing the following:

"In addition to other provisions of law, any person or business entity with custody of a protection dog is responsible for preventing the dog from being 'At Large,' within the meaning of the San Diego County Code, and from attacking or injuring a person engaged in a lawful act. Any person who obtains a dog on hire shall immediately notify the protection dog operator and the Department of Animal Services at (619) 236-2341 in the event an escaped dog is not immediately recaptured.

"Section 62.615 of the San Diego County Code provides in part that any person owning or having custody or control of a dog which bites a person, shall notify the Department as soon as possible thereafter.

"Protection dog operators and the keeping or maintenance of protection dogs are regulated by the County of San Diego Department of Animal Services, 5480 Gaines Street, San Diego, California, 92110-2687."

The "Protection Dog Operator" shall also provide the Director of Animal Services with a copy thereof containing an acknowledgment of receipt, signed and dated by the person who obtained the dog on hire. Such acknowledgment shall also include the printed name, address, and telephone number of the "Protection Dog Operator" and the person who obtained the dog on hire.

(11) No change.

(12) No change.

(13) No change.

(b) No change.

(c) No change.

Section 8. Section 62.687 of the San Diego County Code is hereby amended to read as follows:

SEC. 62.687. GUARD DOG OPERATORS.

(a) Any "Guard Dog Operator", in addition to the requirements of The Dog Act of 1969 (Health and Safety Code Section 121875 et seq.), shall comply with the following:

(1) No change.

(2) No change.

(3) No change.

(4) No change.

(5) No change.

(6) No change.

(7) No change.

(8) No change.

(9) No change.

(10) No change.

- (11) No change.
- (12) No change.
- (13) No change.
- (14) No change.
- (15) Keep or maintain each animal in a manner as may be prescribed to protect the public from the animal, and the animal from the public.

In addition, the local law enforcement agency and fire department which provide police and fire suppression services, and the Director of Animal Services, shall be notified in writing, of the office, base facility, training facility, or kennel where any "Guard Dog" is maintained for any period.

Such notification shall also be provided at least five (5) "Business Days" before a "Guard Dog" is to be sent on an assignment, and shall include the location and duration of such assignment.

Ensure that each dog furnished or assigned to any facility within the unincorporated area of San Diego County or any city in which the Department provides animal control services is wearing a County of San Diego dog license tag before such furnishing or assigning of the dog. Notwithstanding the provisions of Section 62.646 of this code, a "Guard Dog Operator" shall obtain individual dog licenses for each dog, whether or not it is kept in a "Kennel" as defined by this code.

Ensure that each dog is wearing a durable identification tag in addition to a County of San Diego dog license tag. The identification tag provided shall contain the name, address, and telephone number of the "Guard Dog Operator" furnishing the dog.

Provide positive identification, by implantation of a microchip of a type and in a manner approved by the Department. For each dog to be furnished for hire to any premises, area, or yard within the unincorporated area of San Diego County or any city in which the Department provides animal control services.

Each required notification shall include each dog's name and description along with the license, microchip, and any other identification numbers.

Ensure that durable signs of sufficient size containing both a clear pictorial depiction of a guard dog and a legible written warning of the presence of a guard dog are conspicuously posted. Such signs shall be maintained at every entrance and at not more than fifty (50) foot intervals so as to be clearly visible on the fence or other enclosure where the dog is to be maintained or assigned. Any such sign that is initially posted or replaced on or after the effective date of this ordinance shall measure a minimum of 11 x 8.5 inches with lettering of a minimum of 1.25 x .5 inch (91 point) and of contrasting color with the background.

Signs shall also include the name and telephone number of the "Guard Dog Operator" furnishing the dog.

The telephone number included on the identification tag and warning sign(s) shall be to a telephone that is answered by a person 24 hours per day, every day of the year. In addition, a dog handler shall be available at all times to immediately respond to reports regarding a dog that has escaped, is sick, injured, or presents a risk of harm to animal or public health, safety, or welfare.

- (16) No change.
- (17) No change.
- (18) Allow no animal to constitute a nuisance, cause a hazard, or be a menace to the health, peace, or safety of the community.

In addition, obtain and maintain liability insurance issued by an insurance company authorized to transact business in this state which provides minimum limits of insurance of five hundred thousand dollars (\$500,000) for any one loss due to bodily injury or death and five hundred thousand dollars (\$500,000) for any one loss due to injury or destruction of property. The "Guard Dog Operator" shall also furnish the Director of Animal Services with a certificate or photocopy of the insurance policy and notify the Director at least ten (10) days prior to cancellation or non-renewal of the policy.

Provide a written statement to any person who obtains a "Guard Dog" on hire, prior to a dog being sent on assignment, containing the following:

"In addition to other provisions of law, any person or business entity with custody of a guard dog is responsible for preventing the dog from being 'At Large', within the

meaning of the San Diego County Code, and from attacking or injuring a person engaged in a lawful act. Any person who obtains a dog on hire should immediately notify the guard dog operator in the event a guard dog escapes from its enclosure, and the Department of Animal Services at (619) 236-2341 in the event an escaped dog is not immediately recaptured.

"Section 62.615 of the San Diego County Code provides in part that any person owning or having custody or control of a dog which bites a person, shall notify the Department as soon as possible thereafter.

"Guard dog operators and the keeping or maintenance of guard dogs are regulated by the County of San Diego Department of Animal Services, 5480 Gaines Street, San Diego, California, 92110-2687."

The "Guard Dog Operator" shall also provide the Director of Animal Services with a copy thereof containing an acknowledgment of receipt, signed and dated by the person who obtained the dog on hire. Such acknowledgement shall also include the printed name, address, and telephone number of the "Guard Dog Operator" and the person who obtained the dog on hire.

(19) No change.

(20) No change.

(b) No change.

(c) No change.

Section 9. This ordinance shall take effect and be in force thirty days after its passage, and before the expiration of fifteen days after its passage, a summary thereof shall be published once with the names of the members of this Board voting for and against it in the San Diego Commerce, a newspaper of general circulation published in the County of San Diego.

Handwritten signature

PASSED, APPROVED and ADOPTED this 28th day of January, 2003, Minute Order No. 17.



GREG COX, CHAIRMAN
Board of Supervisors
County of San Diego, State of California

The Ordinance was adopted by the following vote:

AYES: Cox, Jacob, Slater, Roberts, Horn



ATTEST my hand and the seal of the Board of Supervisors
this 28th day of January, 2003.

THOMAS J. PASTUSZKA
Clerk of the Board of Supervisors

By: 
Denise McClendon, Deputy

Ordinance No. 9528
1/28/03 (17)