

Chapter 6.04

ANIMAL CONTROL

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Section 6.04.010. Purpose.

The city council finds that to adequately protect the citizens of the City of Ripon from dangerous or potentially dangerous animals, from rabid animals or from animals causing a nuisance, it is necessary to provide a management and licensing structure, pound facilities, and care requirements for animals within the city limits.

The city council further finds that regulations are necessary to ensure humane treatment for all animals within the city limits. The purpose of this chapter is to establish standards for the keeping of animals and fowl, in a manner which will not endanger the health, peace, and safety of the citizens of the City of Ripon and which will assure that such animals and fowl are kept in clean and sanitary conditions and not subject to suffering, cruelty, or abuse. (Ord 546 § 1, 1995)

Section 6.04.020 Definitions:

For the purposes of this title, all words and phrases shall be interpreted according to their everyday meaning, but the following words and phrases shall have the meanings ascribed to them, unless their meaning is clearly intended to be otherwise.

A. "Adequate food" means the kind, type, and quantity of food appropriate and suitable for the age and species to provide a reasonable level of nutrition, and which is provided at regular intervals in a sanitary container, dish, or receptacle, but in no event longer than ±2 24 hour intervals.

B. "Adequate water" means continuous access to fresh potable water in a clean and sanitary receptacle or container.

C. "Ambient temperature" means air

temperature in the immediate vicinity of the animal.

D. "Animal" means all birds, non-human mammals, fowl, fish, and reptiles. "*Animal*" does not include rodents.

E. "Animal Control Officer" is the individual charged with enforcing the provisions of Title 6 of the Ripon Municipal Code.

F. "Animal shelter" means a facility designated for the purpose of impounding and caring for all animals found in violation of this chapter, or surrendered to the city by their owners, and shall be a facility devoted to the humane treatment, welfare, and protection of all animals.

G. "At-large" means any unrestrained animal off the premises of its owner and away from the person responsible for and physically capable of retaining control of the animal; or when the animal is on the premises of its owner, but away from its owner, and not restrained by a leash, tether, fence, or other adequate enclosure sufficient to prevent ingress and egress by the animal.

H. "Cat" means any member of the feline species (*felis catus*) customarily confined by or bred by humans as a pet.

I. "Coop" means a covered enclosure for housing fowl.

J. "Curb" means to restrain or control an animal so that it does not defecate on property other than its owner's.

K. "Dangerous animal" means any wild animal which is not naturally tame or gentle, but is of a wild nature or disposition, and which, because of its size, vicious nature, or other characteristics, would constitute a danger to human life, other animals, or property. "Dangerous animal" also includes any dog or other domesticated animal which, because of its vicious nature or other characteristics, constitutes a danger to human life, other animals, or property.

L. "Dog" means any member of the canine

family (*canis familiaris*) typically confined or bred by humans as a pet.

M. "Domestic animals" means dogs, cats, and birds, as well as rabbits, and fowl commonly kept or raised as farm or livestock animals.

N. "Domestic bird" includes, but is not limited to, budgies, canaries, cardinals, cockatiels, cockatoos, doves, finches, lorries, lorikeets, lovebirds, macaws, parakeets, parrots, pigeons, sparrows, toucans and weavers.

O. "Euthanasia" shall mean the humane destruction of an animal accomplished by a method that involves instantaneous unconsciousness and immediate death, such as lethal injection, or by a method that involves anesthesia, produced by an agent which causes the painless loss of consciousness and death during such loss of consciousness.

P. "Fowl" means any larger domestic bird such as a domesticated chicken, duck, goose, guinea fowl, peafowl, peacock, turkey, dove, pigeon, game bird, or similar bird intended for human consumption or for the production of eggs for human consumption.

R. "Household pets" shall mean domestic animals ordinarily permitted in a place of residence, kept for company and pleasure, such as dogs, cats, domestic birds, guinea pigs, white rats, rabbits, mice, and other similar animals generally considered by the public to be kept as pets, excluding fowl.

S. "Livestock" means animals kept for use on a farm and includes, but is not limited to, any swine, sheep, goat, horse, cattle, equine, or bovine animal.

T. "Lot" shall mean a single parcel of land for which a legal description is filed of record or the boundaries of which are shown on a subdivision map or record of survey filed in the office of the San Joaquin County Recorder.

U. "Owner" means a person who owns, possesses, harbors, or controls an animal. In the case of a minor, the parents or guardians of the minor shall be deemed the "Owner."

V. "Ownership" shall mean any person keeping, harboring, having custody of, or possessing one or more animals.

W. "Person" shall mean any individual, domestic, or foreign corporation, partnership, association of any kind, trust, fraternal society, or cooperative.

X. "Pet" shall mean any animal kept for pleasure rather than utility.

Y. "Physical control" shall mean any animal confined or restrained by a leash, chain, rope, or lead or within the real property limits of its owner.

Z. "Premises" shall mean any lot or parcel of land owned, leased, or rented by a person.

A.A. "Public nuisance" shall include, but not be limited to, any animal which either:

- (1) Molests passersby or passing vehicles; or
- (2) Attacks other animals or humans; or
- (3) Trespasses on school or park grounds; or
- (4) Is repeatedly at-large; or
- (5) Damages private or public property; or
- (6) Barks, whines, or howls in an excessive, or continuous, manner for a period of ten (10) minutes or longer; or
- (7) Is allowed to run at-large while in heat; or
- (8) Is allowed to defecate or urinate on public property or on private property without the consent of the owner.

B.B. "Quarantine" means the isolation of any animal within a substantial enclosure to avoid its contact with other animals or unauthorized persons.

C.C. "Sanitize" shall mean to make physically clean and remove and destroy agents injurious to health.

D.D. "Vaccination" means a protective inoculation against rabies with an anti-rabies vaccine recognized and approved by the San Joaquin County Health Department.

E.E. "Veterinary hospital" shall mean

any establishment maintained and operated by a licensed veterinarian for surgery, diagnosis, and treatment of diseases and injuries of animals.

F.F. "Wild animal" means any of the following:

(1) Any animal described in California Fish and Game Code sections 2116 and 2118.

(2) Any animal described in the California Fish and Game Code section 2118 (j,k).

(3) Following members of the Class Reptilia:

Order ophidia such as, but not limited to, racers, boas, water snakes and pythons over four feet in length; Order Loricata such as, but not limited to, alligators, caymans and crocodiles over three feet in length;

Order Sauria excepting iguanas over three feet in length.

(4) Class Aves: birds;

Order Falconiformes including, but not limited to, hawks, eagles, and vultures;

Subdivision Ratitae including, but not limited to, ostriches, rheas, cassowaries, and emus.

(5) Following members of the Class Mammalia:

Order carnivora, expressly excepting the domestic dog (*canis familiaris*) and the domestic cat (*felis catus*), including, but not limited to, the family Felidae such as ocelots, margays,

tigers, jaguars, leopards and cougars, the family Canidae such as wolves, dingos, coyotes and jackals;

Order Marsupialia such as kangaroos and opossums, and

Order Chiroptera: bats;

Order Edentata such as sloths, anteaters and armadillos;

Order Proboscidea: elephants;

Order Primata including, but not limited to, monkeys, chimpanzees and gorillas; and

Order ungulata including, but not limited to, antelope, deer, and bison.

6. Any non-domestic species when kept, maintained or harbored in such numbers of in such a manner as to constitute the likelihood of danger to the animals themselves, to human beings or to the property of human beings.

7. Any species of animals which are venomous to human beings whether its venom is transmitted by bite, sting, touch, or other means.

8. Any hybrid animal which is part wild animal and is capable of transmitting rabies, except livestock hybrids, and for which no rabies prophylaxis is recognized or authorized by the State of California.

9. A potentially dangerous animal over which the owner has evidenced a failure to maintain control. (Ord 546 § 1, 1995)