

**Title 6**

**ANIMALS**

**Chapters:**

- 6.04 Dog Licensing and Control—Control of Rabies**
- 6.08 Dogs Running at Large**
- 6.12 Animals Running at Large**
- 6.16 Animals in Streets and Public Places**
- 6.20 Beekeeping**



## Chapter 6.04

### DOG LICENSING AND CONTROL— CONTROL OF RABIES

**Sections:**

- 6.04.010**      **Enforcement of county provisions.**
- 6.04.020**      **County provisions adopted.**
- 6.04.030**      **Nuisance prohibited.**
- 6.04.040**      **Penalty for violation.**

**6.04.010**      **Enforcement of county provisions.**

Pursuant to the provisions of Section 30501 of the Food and Agricultural Code of the state, the city council designates the director of public safety, his/her designee, any public safety officer, animal control officer or humane society officer who is authorized and empowered by law to do so, as the city council may, from time to time, designate upon the execution of appropriate written agreements, to apply and enforce the provision of chapter 4 of part IV of the Ordinance Code of Tulare County and the provisions of this chapter, within the confines of the city. (Ord. 455 § 1, 1994)

**6.04.020**      **County provisions adopted.**

All of the provisions of chapter 4 of part IV of the Ordinance Code of Tulare County are referred to, adopted as a city ordinance and made a part of this chapter with the same effect as if fully set forth in this chapter, and all of the provisions thereof shall be applicable within the boundaries of the City. (Ord. 358 § 2, 1979)

**6.04.030**      **Nuisance prohibited.**

No owner shall fail to exercise proper care and control of his animals to prevent them from becoming a public nuisance. Excessive, continuous or untimely barking, molesting passersby, chasing vehicles, habitually attacking other domestic animals, trespassing upon private property in such manner as to damage property, shall be deemed a nuisance. (Ord. 358 § 3, 1979)

**6.04.040**      **Penalty for violation.**

Any person violating this chapter or Chapter 4 of the Ordinance Code of the County of Tulare within the city limits shall be deemed guilty of an infraction and shall be punished by:

- A. A fine not exceeding fifty dollars for a first violation;
- B. A fine not exceeding one hundred dollars for a second violation of the same ordinance within one year;
- C. A fine not exceeding two hundred fifty dollars for each additional violation of the same ordinance within one year. (Ord. 380 § 5, 1982; Ord. 358 § 3, 1979)

**Chapter 6.08**

**DOGS RUNNING AT LARGE**

**Sections:**

- 6.08.010 Restraint required.**
- 6.08.020 Impoundment authorized.**
- 6.08.030 Reclaiming fee.**
- 6.08.040 Notice of violation.**
- 6.08.050 Nuisance prohibited.**
- 6.08.060 Enforcement powers.**
- 6.08.070 Penalty for violation.**

**6.08.010 Restraint required.**

All dogs shall be kept and restrained at all times, either on a leash, chain or in a fenced yard; otherwise they will be classed as running at large. Leashes or chains shall not be in excess of twelve feet in length. (Ord. 359 § 1, 1979)

**6.08.020 Impoundment authorized.**

Unrestrained dogs may be taken by police, the animal control officer or a humane officer and impounded in an animal shelter, and there confined in a humane manner. Impounded dogs shall be kept for not less than three days unless reclaimed by their owners. If by a permit or license tag or other means the owner can be identified, the animal control officer shall immediately upon impoundment notify the owner by telephone or mail of the impoundment of the animal. Dogs not claimed by their owners within three days, or placed in a suitable new home, shall be humanely euthanized by the animal control officer or by an agency delegated by him or the city council to exercise that power. (Ord. 359 § 2, 1979)

**6.08.030 Reclaiming fee.**

An owner reclaiming an impounded animal, dog or otherwise, shall pay a kennel fee as provided for by Chapter 6.04. (Ord. 359 § 3, 1979)

**6.08.040 Notice of violation.**

In addition to, or in lieu of, impounding an animal found at large, the animal-control officer, hu-

mane officer, or police officer may issue to the known owner of the animal a notice of ordinance violation. The notice shall impose upon the owner a penalty of ten dollars which may, at the discretion of the animal owner, be paid to the city clerk within seventy-two hours in full satisfaction of the assessed penalty. In the event that the penalty is not paid within the time period prescribed, a criminal warrant shall be initiated before a magistrate and, upon a conviction of a violation of this chapter, the owner shall be punished as provided in Section 6.08.070. (Ord. 359 § 4, 1979)

**6.08.050 Nuisance prohibited.**

No owner shall fail to exercise proper care and control of his animals to prevent them from becoming a public nuisance. Excessive, continuous or untimely barking, molesting passersby, chasing vehicles, habitually attacking other domestic animals, trespassing upon school grounds or trespassing upon private property in such manner as to damage property, shall be deemed a nuisance. (Ord. 359 § 5, 1979)

**6.08.060 Enforcement powers.**

The director of public safety, his designee, any public safety officer, animal control officer or humane society officer shall have police powers in the enforcement of this chapter and no person shall interfere with, hinder, molest or abuse the director of public safety, his designee, any public safety officer, animal-control officer or humane society officer in the exercise of such powers. (Ord. 404, 1986: Ord. 359 § 6, 1979)

**6.08.070 Penalty for violation.**

Any person violating any provision of this chapter shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than ten dollars nor more than two hundred dollars. If any violation is continued, each day's violation shall be deemed a separate violation. (Ord. 359 § 7, 1979)

## Chapter 6.12

### ANIMALS RUNNING AT LARGE

#### Sections:

- 6.12.010 **Prohibited.**
- 6.12.020 **Impoundment—Authorized.**
- 6.12.030 **Impoundment—Notice.**
- 6.12.040 **Impoundment—Redemption or disposition.**
- 6.12.050 **Impoundment—Time of sale.**
- 6.12.060 **Impoundment—Use of proceeds from sale.**
- 6.12.070 **Impoundment—Care of animals.**
- 6.12.080 **Impoundment—Release prohibited.**
- 6.12.090 **Enforcement powers.**
- 6.12.100 **Penalties for violation.**

#### 6.12.010 **Prohibited.**

It is unlawful for any horse, mule, jack or any kine or neat cattle, sheep, goat, hog or domestic fowl to be at large in the city, or to be staked or picketed for the purpose of grazing on any street, lane, alley or other public place in the city or so near to any such street, lane, alley or other public place as to interfere with the free use thereof. (Prior code § 4-1)

#### 6.12.020 **Impoundment—Authorized.**

Any person may take up and deliver to the poundmaster or chief of police any of the animals mentioned in Section 6.12.010 found running or being at large or picketed or staked on any of the places mentioned in Section 6.12.010. It is made the duty of the poundmaster or chief of police to receive and to take up and impound all such animals and to dispose of them as provided in this chapter. (Prior code § 4-6)

#### 6.12.030 **Impoundment—Notice.**

Within twenty-four hours after impounding any animal, the chief of police or poundmaster shall notify the owner or person entitled to the posses-

sion thereof, if known. If the owner or such other person is not known to the poundmaster or chief of police, he shall within such time post a notice on or near the door of the city council chamber, describing the animal, the date of taking up and the amount of fees and charges accrued against the animal. (Prior code 64-7)

#### 6.12.040 **Impoundment—Redemption or disposition.**

On payment by the owner or any person claiming any animal impounded as provided in Section 6.12.020, of the fees and charges, the poundmaster or chief of police must immediately deliver the animal to the owner or person claiming it. If no person claims the animal or claiming it refuses or fails to pay the fees and charges thereon, the poundmaster or chief of police shall within not less than two or more than five days after posting the notice mentioned in Section 6.12.030, give notice by posting in three public places in the city or by publication for at least one week in the official newspaper of the city that the animal is impounded, a description of it, with any brand or distinguishing marks, the date of taking up and that unless sooner redeemed the animal will be sold at the door of the city council chambers in the city on a day and at an hour stated therein, to pay the fees, charges and costs accrued and to accrue thereon, stating the amount as near as may be. (Prior code § 4-8)

#### 6.12.050 **Impoundment—Time of sale.**

The sale provided for in Section 6.12.040 shall not be had within less than three days nor more than ten days after the publication of notice thereof; provided, that the poundmaster or director of public safety may, in the absence of any bidders or for any other sufficient cause postpone and continue the sale to a date to be then fixed, not exceeding five days. Notice of the continuance may be given by posting in three places in the city or by one publication in the official paper. (Prior code § 4-9)

**6.12.060 Impoundment—Use of proceeds from sale.**

On a sale of any animal as provided in this chapter, the poundmaster or director of public safety shall deduct from the proceeds of the sale all fees and charges against the animal and pay any balance to the treasurer, taking his receipt therefor. If within one year thereafter any person claims the money and produces proof of ownership of the sold animal, a warrant for the sum so deposited shall be drawn on the treasurer in his favor for the same. If no claimant for the money appears within one year, it shall be turned into the general fund. (Prior code § 4-10)

**6.12.070 Impoundment—Care of animals.**

The poundmaster or director of public safety shall furnish all animals sufficient food and water while they remain in the pound, and the reasonable value thereof shall be a charge against them, to be paid by the person redeeming them, if redeemed, or deducted from the amount produced by the sale thereof, if sold. (Prior code § 4-11)

**6.12.080 Impoundment—Release prohibited.**

It is unlawful for any person to rescue any animal from the possession of the poundmaster or director of public safety or from any other person who has taken up any animal and is about to deliver it to the poundmaster or director of public safety, or to deliver or release any animal from the pound without the consent of the poundmaster or director of public safety. The poundmaster or director of public safety may retake any animal so rescued, delivered or released at any time within ten days thereafter and impound it and proceed as in the first instance. (Prior code § 4-12)

**6.12.090 Enforcement powers.**

The director of public safety, his designee, any public safety officer, animal-control officer or humane society officer shall have police powers in the enforcement of this chapter, and no person shall interfere with, hinder, molest or abuse the director

of public safety, his designee, any public safety officer, animal-control officer or humane society officer in the exercise of such powers. (Ord. 405 (part), 1986)

**6.12.100 Penalties for violation.**

Any person violating any provision of this chapter shall be guilty of an infraction, and shall be punished by a fine not less than ten dollars nor more than two hundred dollars. If any violation is continued, each day's violation shall be deemed a separate violation. (Ord. 405 (part), 1986)

**Chapter 6.16****ANIMALS IN STREETS AND PUBLIC  
PLACES****Sections:**

- 6.16.010 Hitching animals in public places.**
- 6.16.020 Leaving animals unattended in streets.**
- 6.16.030 Feeding animals in public places.**

**6.16.010 Hitching animals in public places.**

It is unlawful for any person to hitch or fasten any horse, mule, cow or like animal to any tree in any public place or to any awning post or hydrant. (Prior code § 4-3)

**6.16.020 Leaving animals unattended in streets.**

It is unlawful for any person having charge, custody or control of any horse, mule, pony or donkey to leave it unattended and unsecured in any public street within the city. A horse, mule, pony or donkey left unattended in any street shall be deemed to be unsecured within the meaning of this section unless it is securely tied or hitched by chain, strap or rope fastened to its neck or bridle, and to a post or other permanent fastening, or by a chain, strap or rope fastened to its bridle and to a weight of not less than twenty pounds resting upon the ground. (Prior code § 4-4)

**6.16.030 Feeding animals in public places.**

It is unlawful for any person to feed any horse, mule or other animal upon any street within the city, unless the horse, mule or other animal is securely tied or hitched by a chain, strap or rope fastened to its neck, bridle or halter, and to a post or other permanent fastening. (Prior code § 4-5)

6.20.010

**Chapter 6.20**

**BEEKEEPING**

**Sections:**

**6.20.010 Prohibited.**

**6.20.010 Prohibited.**

It is unlawful for any person to keep or maintain within the city any apiary, hive or hives or other device or devices containing any colony or colonies of bees. (Prior code § 4-2)