

CITY OF LOYALTON

COUNTY OF SIERRA
605 SCHOOL STREET
P.O. BOX 128
LOYALTON, CALIFORNIA 96118
(530) 993-6750
cityofloyalton.org



OFFICE OF THE MAYOR

**AGENDA FOR THE REGULAR MEETING OF THE
LOYALTON CITY COUNCIL
6:00 P.M. – CITY HALL AUDITORIUM
605 SCHOOL STREET
MAY 18TH, 2021
NEXT ORDINANCE #423
NEXT RESOLUTION NO. 2-2021**

**AGENDA & PACKET AVAILABLE ON CITY WEB SITE
cityofloyalton.org**

Any person with a disability may submit a request for reasonable modification or accommodation to the above-described means for accessing and offering comment at the meeting to Kathy LeBlanc, City Clerk, at [\[ofclerk-cityofloyalton@psln.com\]](mailto:ofclerk-cityofloyalton@psln.com) who will swiftly resolve such request.

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **APPROVAL OF AGENDA**
5. **ANNOUNCEMENTS**
6. **APPROVAL OF MINUTES**
Regular Meeting April 20, 2021 (Attachment)
Special Meeting May 13, 2021 (Attachment)
7. **STAFF REPORTS**
 1. Pool update.
 2. Correspondence from Tim Beals and Doug Lawlor. (Attachment)
8. **TIMED ITEM 6:20 TERRY LEBLANC**
 1. Terry LeBlanc Supervisor District 4 to address Council on Tourism and Upcoming Events.

9. **TIMED ITEM 6:30 PUBLIC HEARING UPDATE OF THE ZONING CODE**

1. Review Amendment of Zoning Code Ordinance #423 and Waiving of First Reading.

10. **PUBLIC COMMENT**

This is an opportunity for members of the public to address the Council on items which are not on the agenda. Please state your name for the record. Comments are limited to three minutes. Written comments should be submitted to the City Clerk 24 hours prior to the meeting to allow for distribution. Under Government Code Section 54954.2 – Brown Act, the Council **cannot take action on any item not on the posted agenda.**

11. **FIRE DEPARTMENT REPORT**

1. Reimbursement for Fire Department Association for training. (Attachment)

12. **FINANCIAL COMMITTEE REPORTS**

1. Financial Committee Report/Update

- Approval of Reconciled Accounts for April, 2021 (Attachment)
- Approval of Bill Sheet April 2021 (Attachment)
- Acknowledgment of Approval of Fund Transfer from General 1956 to Enterprise Loan MM 0559 not to exceed \$24,000.00 (Attachment)
- Acknowledgment of Approval of Fund Transfer from General 1956 to F.D. Reserve 7243 for Zogg Fire not to exceed \$37,914.54 (Attachment)

13. **PUBLIC WORKS COMMITTEE REPORTS/PARK AND RECREATION**

14. **OTHER COMMITTEE REPORTS**

15. **DISCUSSION AND POSSIBLE ACTION ITEMS**

1. Discussion and Possible Action regarding Animal Control (Attachment)
2. Discussion and Possible Action regarding pay raise for Council Members.
3. Discussion and Possible Action regarding Re-Organization for Boards and Committees.
4. Discussion and Possible Action regarding Order and Decorum (Attachment)
5. Discussion and Possible Action regarding change of payroll dates.

16. **AGENDA INPUT FOR UPCOMING MEETINGS**
17. **BOARD MEMBER CLOSING REMARKS**
18. **ADJOURNMENT**

April 20th, 2021

REGULAR MEETING

The Regular meeting of the Loyalton City Council was called to order by Mayor S. Jackson on April 20th, 2021 at 6:00 p.m. Loyalton City Auditorium

COUNCIL MEMBERS PRESENT Mayor S. Jackson, N. Rogers, J. Markum, D. Riede,

COUNCIL MEMBERS ABSENT

STAFF PRESENT

City Clerk- Kathy LeBlanc, Bookkeeper- Jamie Stockdale

GUESTS PRESENT

J. Mertton, J. Buck, R. DeMartini, P. DeMartini, J. Mitchell, D. Lawlor, V. Bowling, B. Mertton, G. Verver, J. Gerow, T. LeBlanc, L. Brown, P. Mitchell, T. Tucker, A. Birkeland, G. Nelson, G. Price via Zoom

APPROVAL OF AGENDA

It was moved by J. Markum, seconded by D. Riede to approve the agenda as presented. Motion carried.

ANNOUNCEMENTS

1. City Clerk K. LeBlanc informed the Council on the possibility of water restriction in regards to the Letter from the State Water Resources Control Board.

APPROVAL OF MINUTES

1. It was moved by D. Riede, seconded by N. Rogers to approve the minutes of the Regular Meeting of March 16, 2021. Motion carried.

2. It was moved by D. Riede, seconded by N. Rogers to approve the minutes of the Special Meeting of March 30, 2021. Motion carried.

STAFF REPORTS/WRITTEN COMMUNICATIONS

1. Mayor Jackson reported on the Animal Control issue. She will work on getting an update to the City of Loyalton Animal Control Ordinance.

2. Councilmember Rogers reported that she met with the insurance adjuster; he is getting more quotes to clean up the pool.

3. City Clerk informed the council that she has been in contact with the organization that will be working on the Sewer Rate Increase.

PRESENTATION OF THE RICHARD MEDER AWARD

1. Mayor Jackson presented the Richard Meder Community award to Museum Curator J. Mitchell for the Loyalton Museum Volunteers. J. Mitchell thanked the Council for the award. She also thanked the many volunteers that work to make the Museum a success.
2. Mayor Jackson presented the Richard Meder Community award to P. Mitchell for the Loyalton Thrift Store Volunteers. P. Mitchell thanked the Council for the award. She also thanked the many volunteers that work to make the Loyalton Thrift Store a success.

TIMED ITEM PUBLIC HEARING HOUSING ELEMENT

1. G. Price presented the Council and Public on the draft Housing Element 2019-2024 via zoom. He gave an update on the changes that the Council and Public had requested. He also presented the Staff Report to the Council. Mayor Jackson then opened the Public Hearing for comment. Having heard no comments, Mayor Jackson closed the Public Hearing. G. Price thanked the Council and reported that the Zoning Code will be on the next agenda.

PUBLIC COMMENT

None

FIRE DEPARTMENT REPORT

Assistant Chief R. DeMartini reported to the council stating that the new engine should be here tomorrow. He also stated that there has been 51 calls so far this year. He also requested that the community be aware that Fire Season is approaching and as it will be a dry season so please be vigilant.

FINANCIAL COMMITTEE REPORT/UPDATE

Councilmember Markum reported on the Finance Meeting stating that the meetings are going well. She thanked both K. Norton and J. Stockdale for all their good work. Mayor Jackson would like to have Council Members think about the upcoming budget.

1. It was moved by J. Markum, seconded by N. Rogers to approve the reconciled Accounts for March 2021. Motion carried.
2. After a brief discussion, it was moved by J. Markum, seconded by N. Rogers to approve the bill sheet not to exceed \$89,767.19. Motion carried.

ACKNOWLEDGEMENT OF APPROVAL OF FUNDS TRANSFERS

1. It was moved by D. Riede, seconded by N. Rogers to approve the fund transfer from General 1956 to Enterprise MM 0559 not to exceed \$24,000. Motion carried.
2. It was moved by J. Markum, seconded by N. Rogers to approve fund transfer from WWTP settlement 4387 to General 1956 for Farr West Clean Up and Abatement Order Phase 2 not to exceed \$4,746.75. Motion carried

REIMBURSEMENT FOR USDA

None

PUBLIC WORKS COMMITTEE REPORTS/PARK AND RECREATION

1. Councilmember Rogers reported that the sprinklers are working at the park, and the drip system will be working tomorrow for Main Street. She also stated that she has been working with volunteers in cleaning up the Cemetery. She is looking into getting street signs to replace the missing ones and also would like to get emblems for city vehicles.
2. Councilmember Riede reported that the City is listed with LTC for city streets and is looking into grants for overlay and street lights.

OTHER COMMITTEE REPORTS

1. Councilmember Riede reported that the new employee was a no show. The Personnel Committee will look at other applicants and hold interviews.

DISCUSSION AND POSSIBLE ACTION ITEMS

1. It was moved by J. Markum, seconded by D. Riede to adopt Resolution #1-2021 City of Loyalton adopting a notice of Exception pursuant to CEQA and adopting General Plan Amendment GPA-2021-1 including update to the General Plan Housing Element. Roll Call- Mayor Jackson-Aye, N. Rogers-Aye, J. Markum-Aye, D. Riede-Aye. Motion carried.
2. Doug Lawlor addressed the council on the progress at the Loyalton Mobile Park. He would like to get a number of units that the City will serve. He will contact Farr West about the capacity. He also stated that the clean up process should begin next month.
3. After a brief discussion of FEMA Projects, It was moved by J. Markum, seconded by N. Rogers to proceed with the Bid Process. Motion carried. (Councilmember Rogers will contact Bastian Engineering to make sure all the projects stated are the right ones.)
4. It was moved by J. Markum, seconded by N. Rogers to proceed with the SALT Program based on the recommendations of the WWTP Operator and Farr West Engineering. Motion carried.
5. It was moved by D. Riede, seconded by N. Rogers to approve the rate increase presented by Steve Gross-City Attorney. Motion carried.
6. Mayor Jackson informed the Council that after following all abatement procedures the City can proceed with removal of debris and bill the property owner. It was moved by S. Jackson, seconded by D. Riede to proceed with removal. Motion carried.
7. After a discussion regarding the repair of the fence at the WWTP and getting a quote from Kunsman Fencing for \$575.00, it was moved by J. Markum, seconded by N. Rogers to repair fence. Motion carried.
8. It was moved by N. Rogers, seconded by D. Riede to remove B. Mitchell as a signer for all Plumas Bank Accounts. Motion carried. It was moved by D. Riede, seconded by N. Rogers to add J. Markum for all Plumas Bank Accounts. Motion carried.
9. After a discussion regarding cleaning of water tanks, it was moved by J. Markum, seconded by D. Riede to get additional quote for cleaning of tanks. Motion carried.

10. Mayor Jackson stated that the City received 3 applicants to fill Council Vacancy, Gail Verver, Bill Mertton and Jerry Gerow. After a question and answer to all applicants, the council thanked the applicants for applying. It was moved by J. Markum to nominate B. Mertton to fill vacancy, motion died for lack of a second. It was moved by D. Riede, seconded by N. Rogers to nominate J. Gerow to fill the vacancy on City Council for the remainder of B. Mitchell term. Roll Call- Mayor Jackson-Aye, N. Rogers-Aye, D. Riede-Aye, J. Markum-No. Motion carried. City Clerk then administered the oath of office to Jerry Gerow.

INPUT FOR UPCOMING MEETINGS

1. Animal Control Ordinance
2. Pool Update

CLOSING REMARKS

None

Meeting Adjourned

APPROVED: _____
Mayor Jackson

ATTEST: _____

Kathy LeBlanc, City Clerk

DRAFT

May 13th, 2021

SPECIAL MEETING

The special meeting of the Loyaltown City Council was called to order by Mayor Jackson on May 13, 2021 at 9:00 a.m.

COUNCIL MEMBERS PRESENT

Mayor Jackson, N. Rogers, D. Riede, J. Markum, J. Gerow

COUNCIL MEMBERS ABSENT:

STAFF PRESENT

K. LeBlanc- City Clerk

GUESTS PRESENT

None

APPROVAL OF AGENDA

It was moved by D. Riede, seconded by N. Rogers to approve the agenda as presented. Motion unanimously carried.

ANNOUNCEMENTS

None

STAFF REPORTS

None.

PUBLIC COMMENT

None

DISCUSSION AND POSSIBLE ACTION

1. After a brief discussion regarding hiring of new maintenance worker, it was moved by D. Riede, seconded by N. Rogers to approve the hiring of Brandon Morrow for the maintenance worker position, full time at \$17.00 per hour with a 1 year probation period. Roll Call- Mayor Jackson-Aye, N. Rogers-Aye, D. Riede-Aye, J. Markum-Aye, J. Gerow-Aye. Motion unanimously carried.

MEETING ADJOURNED

APPROVED: _____

Mayor S. Jackson

ATTEST: _____

Kathy LeBlanc- City Clerk

CITY OF LOYALTON PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the City of Loyalton will hold a public hearing during the regular City Council meeting on Tuesday, May 18, 2021, at 6:00 p.m. at the Loyalton City Hall Auditorium at 605 School Street, Loyalton, to consider the following:

- **California Housing Statutes Update of the Zoning Code**

The Zoning Code consists of regulations that address land use and development within the City. The Zoning Code, regulations for the use of land in Loyalton, is proposed to be amended consistent with changes to State Housing Laws and to implement programs of the City's General Plan and related Housing Element. The action of the City Council would be to adopt Zoning Ordinance Amendment ZOA 2021-01.

Please feel welcome to download a copy of the final draft at:

<https://www.cityofloyalton.org/>

Copies of the draft document are also available for purchase or review at City Hall at 605 School Street, Loyalton, CA during normal business hours. All interested persons are invited to present testimony on the matter at the meeting, and/or submit written comments prior to and/or during the meeting. Additional information may be obtained regarding this matter and you may also request an electronic version of the document by contacting Kathy LeBlanc, City Clerk, (530) 993-6750 or by e-mail at ofclerk-cityofloyalton@psln.com

The City of Loyalton does not discriminate in housing or employment on the basis of race, religion, sex, age, national origin, or disability. The location of the public hearing is fully accessible to mobility-impaired individuals.

In compliance with the Americans with Disabilities Act, the City of Loyalton encourages those with disabilities to participate fully in the public hearing process. If you require special accommodations in order for you to attend or participate in this public meeting process, please contact the City Clerk at (530) 993-6750 or by e-mail at cityofloyalton@psln.com well in advance of the public hearing so that we may make every reasonable effort to accommodate you.

POSTED: April 28, 2021
By: Kathy LeBlanc
City Clerk

**CIUDAD DE LOYALTON
AVISO DE AUDIENCIA PÚBLICA**

POR LA PRESENTE SE DA AVISO de que la Ciudad de Loyalton llevará a cabo una audiencia pública durante la reunión regular del Concejo Municipal el martes 20 de abril de 2021 a las 6:00 p.m. en el Auditorio del Ayuntamiento de Loyalton en 605 School Street, Loyalton, para considerar lo siguiente:

- Adopción de la actualización del elemento de vivienda 2019-24

El propósito del Elemento de Vivienda, parte del Plan General de la Ciudad, es abordar las necesidades de vivienda existentes y futuras para todos los residentes y grupos económicos de Loyalton. La Ciudad realizó dos talleres públicos anteriores para obtener comentarios públicos preliminares el 20 de octubre de 2020 y el 16 de febrero de 2021, para recibir comentarios que ayuden a comprender las preocupaciones del público.

Siéntase bienvenido a descargar una copia del borrador final en:

<https://www.cityofloyalton.org/>

Las copias del borrador del documento también están disponibles para su compra o revisión en el Ayuntamiento en 605 School Street, Loyalton, CA durante el horario laboral normal. Todas las personas interesadas están invitadas a presentar su testimonio sobre el asunto en la reunión y / o enviar comentarios por escrito antes y / o durante la reunión. Se puede obtener información adicional sobre este asunto y también puede solicitar una versión electrónica del documento comunicándose con Kathy LeBlanc, Secretaria Municipal, (530) 993-6750 o por correo electrónico a ofclerk-cityofloyalton@psln.com

La Ciudad de Loyalton no discrimina en materia de vivienda o empleo por motivos de raza, religión, sexo, edad, origen nacional o discapacidad. La ubicación de la audiencia pública es totalmente accesible para personas con problemas de movilidad.

De conformidad con la Ley de Estadounidenses con Discapacidades, la Ciudad de Loyalton alienta a las personas con discapacidades a participar plenamente en el proceso de audiencia pública. Si necesita adaptaciones especiales para poder asistir o participar en este proceso de reunión pública, comuníquese con el Secretario de la Ciudad al (530) 993-6750 o por correo electrónico a cityofloyalton@psln.com con suficiente anticipación a la audiencia pública. que podemos hacer todos los esfuerzos razonables para adaptarse a usted.

PUBLICADO: 9 5 de abril de 2021
Por: Kathy LeBlanc

Secretario de la ciudad

Kathy LeBlanc

From: Jamie [cityofloyalton@psln.com]
Sent: Monday, May 03, 2021 8:05 AM
To: Kathy LeBlanc
Subject: FW: Property West of Loyalton-205 Hill Street
Attachments: Memo to Beals_205 Hill St. Cleanup 2021.04.14.pdf

Categories: Red Category

From: Tim Beals
Sent: Friday, April 30, 2021 4:04 PM
To: cityofloyalton@psln.com; Kathy LeBlanc <cityofloyalton@digitalpath.net>
Cc: gross@portersimon.com
Subject: FW: Property West of Loyalton-205 Hill Street

Please find attached, a recent email that I transmitted to the current owners of 205 Hill Street (former Loyalton Mobile Estates) regarding clean-up and abatement of the property. I have asked for an update and based upon the response, a decision will be made whether to proceed with formal enforcement proceedings. Just want to keep you in the loop and I would appreciate it if each member of the Council would be provided a copy of this packet in the event that you get questions. Please refer any questions that you feel appropriate, to me and I will be glad to respond to any inquiries that you may receive. Thanks.

Tim Beals
Planning Director

From: Tim Beals <tbeals@sierracounty.ca.gov>
Sent: Friday, April 30, 2021 3:41 PM
To: Tim Beals <tbeals@sierracounty.ca.gov>
Subject: FW: Property West of Loyalton-205 Hill Street

From: Tim Beals
Sent: Thursday, April 29, 2021 2:39 PM
To: Tim Beals <tbeals@sierracounty.ca.gov>
Subject: FW: Property West of Loyalton-205 Hill Street

From: Tim Beals
Sent: Thursday, April 29, 2021 2:39 PM
To: Doug Lawler <dlawler@m3multifamily.com>
Cc: Sharon Dryden <sdryden@sierracounty.ca.gov>; Terry LeBlanc <tleblanc@sierracounty.ca.gov>; Sarah Jackson <sarah.cityofloyalton@gmail.com>; Brandon Pangman <bpangman@sierracounty.ca.gov>; Environmental Health <envhealth@sierracounty.ca.gov>
Subject: FW: Property West of Loyalton-205 Hill Street

Hello Doug. Thank you for your letter dated April 14, 2021 (attached) in reply to my email dated March 27, 2021 (included in this email string) which generally summarized a phone conversation over potential LAFCO issues on extending services (water

and sewer) beyond the boundaries of the City limits and focusing on the required clean-up of the property. My purpose in writing is to confirm receipt of your letter and to address a number of concerns that I have with the content of the letter.

My concerns with your letter include the fact that little of its content dealt with the primary issue-that being the clean up of the property. I have been allowing the new ownership time to become organized and responsive to the conditions that were in place when the new owners took title to the property. None of the conditions in place should have been any surprise to the new owners and considering the time that had passed, with little progress, it was necessary for me to outline in my March 27, 2021 that a timetable for completion of clean-up was necessary to avoid formal enforcement proceedings. Secondly, an additional concern stems from much of the letter which attempts to summarize, interpret, and make assumptions over various general discussions that have occurred in the past between County and City staff and you and the owners over development concepts. So please allow me to address those two points in the following paragraphs.

Regarding clean-up, you indicated in your April 14, 2021 letter that you had completed financial negotiations and were about to enter into a contract with JM Environmental, Inc, and the stated costs were identified as \$150,000. You anticipated starting this clean-up during the first week in May with estimated completion by June 18, 2021. Have you entered into this contract and is it your intention to commence work in the first week of May? As you know, County Building permit 2021-11 was issued to allow demolition of the small structures remaining on the property and conditions were imposed to assure proper notification was to occur and that proper certification of the contractors working on this project were in place. There were other conditions as well and they are clearly outlined in permit 2021-11 so can you please provide a status report on your fulfilling each of those conditions. I understand that you are getting increased public pressure to clean up the property but please separate this "pressure" from the potential for any formal enforcement proceedings. It is critical that a timetable and critical path be in place and that assurances are provided that this work will commence promptly and that conditions as stated have been fulfilled. Contrary to your statement that the existing debris "posed no risk of spreading" the existing debris pile is growing as we see more and more waste accumulating on the piles; the piles are not protected from rain and snow and the resultant piles can leach and potentially spread contaminants that may be present to other locations; when the piles dry out, windy conditions which are a daily issue in Loyalton spread litter and debris within and outside of the property; the existence of increased vector: is a growing concern; the piles and debris create an unsightly condition; and, security or protection of the property from unauthorized or open access to the public does not exist. So there is a public priority to move forward on this clean up and abatement and I will look forward to your response and status report. You have stated in your letter that "we (you) would have preferred to have secured new land use permits and entitlements from your office before commencing clean up so that we had assurances that we can re-build a housing development on our site which would support the significant cost to clean up the property". Please understand that the two are not connected in any way. This condition existed when the property was acquired and I can only assume you knew the condition of the property when it was so acquired. This clean-up and abatement now becomes the responsibility of the new owners and the possible land use project that you have been generally discussing has nothing to do with the required clean-up of this property and the impending enforcement proceeding if it becomes necessary.

Regarding the balance of your April 14, 2021 letter, you have made a number of statements representing your understanding of general conversations over site conditions, land use constraints, LAFCO jurisdiction on out-of-service-area services from the City of Loyalton, and building density standards, outlining these assumptions as stated in your letter as "expectations of redevelopment". I feel you need to be cautious over making assumptions over very preliminary conversations on land use projects on this property and as you know, these conversations have been very preliminary, often general in nature, and we have tried to be of assistance to you in your efforts in pondering project options eventually leading to applications for some form of land use project. So your assumption that "no CEQA related challenges are anticipated to gaining approval of a new development plan for the County" is frankly impossible to predict and your understanding of the recent phone conversation on the LAFCO process needs to be balanced with a number of factors that are presently unknown. The City extending water and sewer service beyond its incorporated city limits is required to seek and receive an agreement for extending said services and such factors as numbers or density, capacity designs of the city utility systems, financial implications, and a host of other factors always play into the decision whether or not the City will extend service and also whether LAFCO is in a position to approve the extension of services. How you concluded that the agreement required "is unlikely to be an impediment to us rebuilding a high density housing development on our site" is difficult for me to understand. I am not suggesting it will or will not be an impediment but at this stage, we have no idea and it is part of the process that will evolve as you determine what type of project you intend to pursue. So, please do not interpret my concerns as any form of hostility or negative responses to your desire to

develop the site at some point but the assumptions you have put forward need to be in check with the very preliminary stage you are in. The last paragraph of your April 14, 2021 letter encapsulates and confirms my concerns over your assumptions and expectations and that statement is as follows: "Given the details outlined herein, our intent is to move forward with the clean-up with the understanding we are relying on your prior guidance, inclusive of all statements made to us since we took ownership, which provides a clear path for the entitlement and permitting of our affordable housing redevelopment at this location." I cannot accept this language whatsoever and what appears to me to be posturing and it is concerning how you could draw these conclusions from these very preliminary meetings with the County, City, and others. So, if we need to meet and clear up these issues, then I am more than willing to do so as it may be a worthwhile effort so we are all on the same page Doug. I would look forward to it.

Thanks and I will look forward to your reply.

Tim Beals
Planning Director

From: Tim Beals <tbeals@sierracounty.ca.gov>
Sent: Saturday, March 27, 2021 1:09 AM
To: Doug Lawler <dlawler@m3multifamily.com>
Cc: Environmental Health <envhealth@sierracounty.ca.gov>; Bryan Davey <bdavey@sierracounty.ca.gov>
Subject: Property West of Loyalton

[doug.it](#) was good to talk with you on Thursday as well as the other partners involved in the Loyalton property. I was happy to see Council member Nancy Rogers on the call and retaining Greg Gatto was a good move. I see that he has just about conclude his work to clear up the unfortunate title issues stemming from the Court's sale and conveyance of the property to your partnership. We discussed the LAFCo process for "out of service area" agreements required by GC 56133 for extending water and sewer services beyond the City limits and we discussed the permitting process. It also became clearly evident that you need to fully understand the water and sewer infrastructure, its design capacity, its physical condition, its legal or ownership status, and the existence or lack thereof, of easements for future maintenance and any development. You also want to be aware of the position of the regulatory agencies over design capacities and enforcement history. One topic we failed to discuss was your schedule for clean-up of the property.

I am getting a lot of calls about the unsafe condition of the property, existence of piles of debris, the lack of site security allowing an attractive nuisance to continue, and related concerns. Frankly, the County has delayed "pushing" enforcement to allow you time to assess the situation, contact appropriate contractors to obtain estimates, and seek and receive the required permits to remove the remaining piles from the property and allowing demolition of the remaining small structures on the property that are known to contain, at minimum, asbestos siding material. I also expedited the issuance of the required County permits earlier this year to accommodate you and to date, I have seen no progress nor activity in moving forward. So I am at a point now that requires an acceleration of enforcement compelling the property owners to perform and in this regard, I am requesting a time schedule that shows complete clean up of this property. This time schedule cannot unreasonably extend the completion date out for weeks and needs to show a diligent commitment and priority to resolving the conditions that remain on the property. Please advise in writing, of this time schedule within the next fifteen (15) days and also outline your approach as to who will be monitoring the demolition of the structures; who will be doing the demolition; who will be doing loading, transport, and disposal; when we can expect proper manifests to be in your possession for disposal destination; and, when we can expect formal notification to be made to CARB, NSAQMD, and County Environmental Health on the commencement of abatement activities.

Please understand the position that the County is in as well as concurrent deteriorating conditions occurring on the property that require the commencement of formal communications regarding abatement. I am available to answer any questions that you may have or to clarify the conditions of the issued demolition permits or the continuation of the clean-up activities that commenced with the former owner of the property.

Thanks Doug and I will look forward to your reply.

Tim Beals
Director



MULTIFAMILY

330 East Canon Perdido Street, Suite F
Santa Barbara, CA 93101-7229

April 14, 2021

Mr. Tim Beals, Director
Department of Planning & Community Development
County of Sierra
Via E-mail

**RE: Route 49 Partners LLC
205 Hill Street
Demolition Permit # 2021-11**

Dear Tim,

Per your request to your email to me of March 27, 2021, please accept this letter as a status report of the above demolition project.

We completed financial negotiations and are about to enter into a contract for comprehensive demolition, cleanup and waste removal at this property with JM Environmental, Inc. The cost of turn-key cleanup of the property is in excess of \$150,000. JM has stated they will commence work on or around the first week of May, 2021 after a required 10-day notice period to regulatory agencies, and they expect to be complete by June 18, 2021.

Considering the length of time that this property has remained idle, as well as the fact that the primary contaminants in the debris piles we inherited a time of purchasing the property are limited to asbestos containing materials (which pose no risk of spreading), we would have preferred to have secured new land use permits and entitlements from your office before commencing clean up so that we had assurances that we can re-build a housing development on our site which would support the significant cost to clean up the property. However, we also recognize that the debris on the site is considered an eye-sore by many in the community, and there has been a long history of prior health and safety violations at the property that pre-existed our ownership. For all those reasons, we have been under quite a bit of pressure to clean up the property quickly and at our own expense, and certainly your email of March 27th made that clear.

We appreciate the past conversations we have had with the County concerning getting a new housing development permitted for the property. We have read the County's draft Housing Element Update, which we understand has tentative approval from the State HCD office. We

are encouraged to see proposed Policy 2.4 relating to replacement of higher-density housing on our site of at least 50 units.

The conference call we had with you and representatives of the City of Loyalton concerning land use and water-sewer service from the City of Loyalton was helpful in setting our expectations that the property is zoned for at least 8 units per acre, that water and sewer service continues to be available from the City for at least the 52 housing units that existed on the property prior to the unfinished demolition, and that the County Planning Department will be encouraging of higher-density housing on the site.

We also discussed that the County would be looking to make sure a valid water-sewer service agreement between us and the City of Loyalton is in place, and that such an agreement may need to be approved by LAFCO, but considering the historical service to the property, is unlikely to be an impediment to us re-building a higher density housing development on our site. We know that the City needs to demonstrate its ability to serve, but we all expect that given the historical service, we will be able to re-build at least as many new housing units on the property as existed prior.

We understand that no CEQA-related challenges are anticipated to gaining approval of a new development plan from the County. We also are happy that your recent success in getting grant funding from the State to assist with costs relating to advance planning and utility feasibility on this property will help provide some certainty to moving our housing project forward once it is submitted, and we also understand that the grant monies are for County-related investigations.

I hope this summary of where the clean-up stands and our expectations of re-development of the property after clean-up is complete is helpful. Given the details outlined herein, our intent is to move forward with the clean-up with the understanding we are relying on your prior guidance, inclusive of all statements made to us since we took over ownership, which provides a clear path for the entitlement and permitting of our affordable housing re-development at this location. If you believe we are misunderstanding the path to getting new housing built on this site, please let me know.

Sincerely,

DOUG LAWLER
Managing Partner

Kathy LeBlanc

From: Lucas Tipton [lucas@farrwestengineering.com]
Sent: Wednesday, April 21, 2021 9:30 AM
To: Kathy LeBlanc
Cc: Kristi Thompson; Tanner Brashler
Subject: Doug Lawler request

Kathy,

I wanted to inform you that I received a call today from Doug Lawler regarding a potential housing development project he is working on. He told me that the Council forwarded him to me so that I can procure the information needed to state the remaining capacity in the City's water and wastewater systems for County plan review. We will look through our records to see what information we have (and don't have) and report back to you on the recommended path forward. This first phase of work should not exceed 6 hours and will be assessed to the General Services contract, although any future engineering work needed to quantify remaining system capacity will be scoped out and presented to the City for consideration prior to incurring any cost(s) for services.

Please contact me if you have any questions or comments on this approach and I hope you have a great day Kathy!

Regards,



Lucas Tipton, P.E.
Principal Engineer
Farr West Engineering
5510 Longley Lane
Reno, NV 89511

Main: (775) 851-4788
Direct: (775) 853-7253
Cell: (775) 815-3289
Fax: (775) 851-0766
www.farrwestengineering.com

Kathy LeBlanc

From: Lucas Tipton [lucas@farrwestengineering.com]
Sent: Wednesday, April 21, 2021 9:30 AM
To: Kathy LeBlanc
Cc: Kristi Thompson; Tanner Brashler
Subject: Doug Lawler request

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CITY OF LOYALTON PUBLIC HEARING NOTICE

NOTICE IS HEREBY GIVEN that the City of Loyalton will hold a public hearing during the regular City Council meeting on Tuesday, May 18, 2021, at 6:00 p.m. at the Loyalton City Hall Auditorium at 605 School Street, Loyalton, to consider the following:

- **California Housing Statutes Update of the Zoning Code**

The Zoning Code consists of regulations that address land use and development within the City. The Zoning Code, regulations for the use of land in Loyalton, is proposed to be amended consistent with changes to State Housing Laws and to implement programs of the City's General Plan and related Housing Element. The action of the City Council would be to adopt Zoning Ordinance Amendment ZOA 2021-01.

Please feel welcome to download a copy of the final draft at:

<https://www.cityofloyalton.org/>

Copies of the draft document are also available for purchase or review at City Hall at 605 School Street, Loyalton, CA during normal business hours. All interested persons are invited to present testimony on the matter at the meeting, and/or submit written comments prior to and/or during the meeting. Additional information may be obtained regarding this matter and you may also request an electronic version of the document by contacting Kathy LeBlanc, City Clerk, (530) 993-6750 or by e-mail at ofclerk-cityofloyalton@psln.com

The City of Loyalton does not discriminate in housing or employment on the basis of race, religion, sex, age, national origin, or disability. The location of the public hearing is fully accessible to mobility-impaired individuals.

In compliance with the Americans with Disabilities Act, the City of Loyalton encourages those with disabilities to participate fully in the public hearing process. If you require special accommodations in order for you to attend or participate in this public meeting process, please contact the City Clerk at (530) 993-6750 or by e-mail at cityofloyalton@psln.com well in advance of the public hearing so that we may make every reasonable effort to accommodate you.

POSTED: April 28, 2021
By: Kathy LeBlanc
City Clerk

**CIUDAD DE LOYALTON
AVISO DE AUDIENCIA PÚBLICA**

POR LA PRESENTE SE DA AVISO de que la Ciudad de Loyalton llevará a cabo una audiencia pública durante la reunión regular del Concejo Municipal el martes 20 de abril de 2021 a las 6:00 p.m. en el Auditorio del Ayuntamiento de Loyalton en 605 School Street, Loyalton, para considerar lo siguiente:

- Adopción de la actualización del elemento de vivienda 2019-24

El propósito del Elemento de Vivienda, parte del Plan General de la Ciudad, es abordar las necesidades de vivienda existentes y futuras para todos los residentes y grupos económicos de Loyalton. La Ciudad realizó dos talleres públicos anteriores para obtener comentarios públicos preliminares el 20 de octubre de 2020 y el 16 de febrero de 2021, para recibir comentarios que ayuden a comprender las preocupaciones del público.

Siéntase bienvenido a descargar una copia del borrador final en:

<https://www.cityofloyalton.org/>

Las copias del borrador del documento también están disponibles para su compra o revisión en el Ayuntamiento en 605 School Street, Loyalton, CA durante el horario laboral normal. Todas las personas interesadas están invitadas a presentar su testimonio sobre el asunto en la reunión y / o enviar comentarios por escrito antes y / o durante la reunión. Se puede obtener información adicional sobre este asunto y también puede solicitar una versión electrónica del documento comunicándose con Kathy LeBlanc, Secretaria Municipal, (530) 993-6750 o por correo electrónico a ofclerk-cityofloyalton@psln.com

La Ciudad de Loyalton no discrimina en materia de vivienda o empleo por motivos de raza, religión, sexo, edad, origen nacional o discapacidad. La ubicación de la audiencia pública es totalmente accesible para personas con problemas de movilidad.

De conformidad con la Ley de Estadounidenses con Discapacidades, la Ciudad de Loyalton alienta a las personas con discapacidades a participar plenamente en el proceso de audiencia pública. Si necesita adaptaciones especiales para poder asistir o participar en este proceso de reunión pública, comuníquese con el Secretario de la Ciudad al (530) 993-6750 o por correo electrónico a cityofloyalton@psln.com con suficiente anticipación a la audiencia pública. que podemos hacer todos los esfuerzos razonables para adaptarse a usted.

PUBLICADO: 9 5 de abril de 2021
Por: Kathy LeBlanc

Secretario de la ciudad

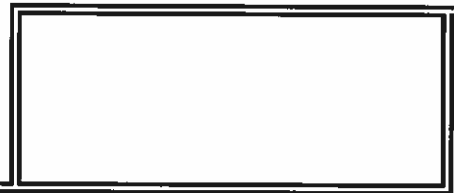
CITY OF LOYALTON

CITY COUNCIL STAFF REPORT

MEETING OF: May 18, 2021

Subject: Housing Element/Zoning Code Update ZOA
2021-01

From: Kathy LeBlanc, City Clerk
Gary Price, Contract Planner



- Recommended Action:**
1. Conduct public hearing and consider public comments.
 2. Determine that this action to amend the Zoning Ordinance is exempt from environmental review.
 3. Determine that this action is consistent with the General Plan.
 4. Waive first reading and adopt Ordinance No. 423, an amendment to Chapter 17 of the Loyalton Municipal Code repealing and replacing the Zoning Ordinance.

The public, and/or Councilmembers may review the document from the City's Website at:

<https://www.cityofloyalton.org/>

BACKGROUND: The Zoning Code/Ordinance is a chapter of the City's Municipal Code that regulates the development of buildings, activities, uses, and signs. It affects how the City looks and how projects work now and in the future. The primary purpose of this update is to bring the zoning regulations into conformance with current State Housing laws. Going through the entire document, we made a number of changes to provide consistency throughout and to provide more clarity. Consequently, there are a lot of changes being proposed that exceed simply bringing it into compliance with State regulations resulting in a set of regulations that we find easier to work with. These amendments are also required to implement the 2019-24 Housing Element, adopted last month. Due to the complexity of the Zoning Code, and the number of changes being made to these regulations, amendments are being proposed throughout the whole document. So, attached for reference is the current document with proposed changes being made to it in Track Changes (in red and strike-out format).

DISCUSSION: A number of State housing laws, too many to list, have been created over the last few years that apply to the City. To comply with these laws, a number of amendments are

being made to address a statewide goal of producing more housing, particularly for lower-income housing, such as requirements or provisions to:

- Replace secondary unit regulations with ADU (Accessory Dwelling Unit) requirements.
- Relax development standards and streamline review of new housing development, particularly for lower-income housing.
- Address new types of housing for lower-income families, such as low-barrier navigations centers.
- Added, revised and clarified terms/definitions.

GENERAL PLAN CONSISTENCY: There are a number of programs in the recently adopted General Plan, Housing Element, which provides for amending the Zoning Code in compliance with many statutes in 2021. So all of the proposed amendments are consistent with the General Plan. Included in the Council’s motion to adopt Zoning Ordinance Amendment ZOA 2021-01, the Council should determine that the project is consistent with the General Plan.

LEGAL REVIEW: The City Attorney reviewed the proposed ordinance amendments and has indicated that they are legally correct.

ENVIRONMENTAL DETERMINATION: Adoption of these code amendments are exempt from environmental review under the “Common Sense Rule” of the CEQA Guidelines Section 15061 (b) (3) that this is not a project that would result in a direct impact on the environment. Included in the Council’s motion to adopt Zoning Ordinance Amendment ZOA 2021-01, the Council should determine that the project is exempt from environmental review.

ALTERNATIVES: The City Council should open and close the public hearing, consider the staff/consultant team’s recommendation and public comments, and then either adopt this first reading of the proposed zoning ordinance amendment or continue this item with specific direction. Should the Council continue this matter, it should keep the public hearing open and continue to the June meeting (to avoid further legal noticing).

QUESTIONS/COMMENTS: Please feel welcome to contact the City’s planning consultant, Gary Price, at (530) 218-1059 or gary@plannerprice.com with any questions regarding the draft document before the meeting. It is always good to provide staff the opportunity to address questions before the meeting to allow time to research answers and possibly present them for the understanding of the entire council at the meeting.

ATTACHMENTS:

1. CEQA Notice of Exemption
2. Ordinance No. 423, Zoning Ordinance Amendment Chapter 17

Acknowledgement of Approval, City of Loyalton

The City of Loyalton acknowledges approval of the below listed reconciled Plumas Bank Accounts

General Account (1956)	4/30/2021	(\$155,497.33)	Reconciled	5/11/2021
CDBG Account (0059)	4/20/2021	(\$14,164.82)	Reconciled	5/10/2021
F.D. Reserve (7243)	4/33/2021	(\$128,901.82)	Reconciled	5/10/2021
General Savings (0322)	4/20/2021	(\$29,420.58)	Reconciled	5/10/2021
Enterprise-W&S (0559)	4/30/2021	(\$337,933.33)	Reconciled	5/10/2021
WWTP Settle. (4387)	4/30/2021	(\$195,387.93)	Reconciled	5/10/2021
Cares Act (0998)	4/30/2021	(\$0.00)	Reconciled	5/10/2021
LAIF Account (496)	4/30/2021	(\$2,029,221.56)	Reconciled	5/10/2021
CalTrust (29130)	4/30/2021	(\$101,421.29)	Reconciled	5/10/2021

This authorization took place at the council meeting held on 05/18/21 and will be further reflected in the council minutes of this meeting.

Authorized Signature

Sarah Jackson, Mayor, Dated 05/18/21

3:54 PM

05/06/21

Cash Basis

City of Loyaltyon
Bills Paid
As of April 30, 2021

Type	Date	Num	Name	Memo	Paid Amo...
Enterprise Loan MM 0559					
Transfer	04/02/2021			Funds Transfer	4,500.00
Transfer	04/02/2021			Funds Transfer	1,500.00
Transfer	04/09/2021			Funds Transfer	4,500.00
Transfer	04/09/2021			Funds Transfer	1,500.00
Transfer	04/16/2021			Funds Transfer	4,500.00
Transfer	04/16/2021			Funds Transfer	1,500.00
Transfer	04/23/2021			Funds Transfer	4,500.00
Transfer	04/23/2021			Funds Transfer	1,500.00
Transfer	04/30/2021			Funds Transfer	4,500.00
Transfer	04/30/2021			Funds Transfer	1,500.00
Total Enterprise Loan MM 0559					30,000.00
General Funds					
General Checking 1956- NEW					
Check	04/01/2021		United Healthcare Insura...	J Cussins Health Insurance	-283.11
Transfer	04/02/2021			Funds Transfer	-4,500.00
Liability C...	04/16/2021		US Treasury-941	94-6000364	-1,140.30
Liability C...	04/16/2021		Employment Developme...	69817369	-97.60
Check	04/15/2021		Bank of America	5472064000010235	-2,113.93
Transfer	04/07/2021			Funds Transfer: Sheep Fire 8/2020	-41,410.69
Liability C...	04/30/2021		Employment Developme...	69817369	-100.54
Liability C...	04/30/2021		US Treasury-941	94-6000364	-1,155.60
Liability C...	04/29/2021		Employment Developme...	69817369	-274.48
Transfer	04/02/2021			Funds Transfer	-1,500.00
Transfer	04/09/2021			Funds Transfer	-4,500.00
Transfer	04/09/2021			Funds Transfer	-1,500.00
Transfer	04/16/2021			Funds Transfer	-4,500.00
Transfer	04/16/2021			Funds Transfer	-1,500.00
Transfer	04/23/2021			Funds Transfer	-4,500.00
Transfer	04/23/2021			Funds Transfer	-1,500.00

3:54 PM
05/06/21
Cash Basis

City of Loyalton
Bills Paid
As of April 30, 2021

Type	Date	Num	Name	Memo	Paid Amo...
Transfer	04/30/2021			Funds Transfer	-4,500.00
Transfer	04/30/2021			Funds Transfer	-1,500.00
Check	04/01/2021	6833	Sarah Jackson	April 2021 Council	-49.50
Check	04/01/2021	6834	Joy Markum	April 2021 Council	-49.50
Check	04/01/2021	6835	Nancy Rogers	April 2021 Council	-49.50
Check	04/01/2021	6836	Darlene Riede	April 2021 Council	-49.50
Check	04/01/2021	6837	Kathy LeBlanc	April 2021 City Clerk	-150.00
Check	04/01/2021	6839	Patsy Jardin Retiree	VOID: April 2021 Pension Pay G...	0.00
Check	04/01/2021	6840	Orville McGarity Retiree	April 2021 Pension Pay	-265.09
Check	04/01/2021	6841	Donald Yegge Retiree	VOID: April 2021 Pension Pay G...	0.00
Check	04/01/2021	6842	John Cussins Retiree	VOID: April 2021 Pension Pay G...	0.00
Paycheck	04/02/2021	6844	Jordan, Keith S.		-1,622.68
Paycheck	04/02/2021	6845	LeBlanc, Katherine L		-665.30
Paycheck	04/02/2021	6846	Stockdale, Jamie		-1,141.96
Paycheck	04/02/2021	6847	Wall, Phillip G		-1,614.29
Bill Pmt -C...	04/07/2021	6848	Dale Simerson	BLS Instructor Package Reimbur...	-150.15
Bill Pmt -C...	04/07/2021	6849	Liberty Utilities		-5,061.74
Bill Pmt -C...	04/07/2021	6850	Loyalton Volunteer Fire ...	Reimbursement for Pumping App...	-1,275.00
Bill Pmt -C...	04/07/2021	6851	North Lake Tahoe Fire P...	Heart Saver Training	-102.00
Bill Pmt -C...	04/07/2021	6852	Pape Machinery - POW...		-778.68
Bill Pmt -C...	04/07/2021	6853	S.C.O.R.E.	Monthly Installment for Liability In...	-1,146.32
Bill Pmt -C...	04/07/2021	6854	Sierra Booster		-176.28
Bill Pmt -C...	04/07/2021	6855	Sierra County Auditor	Police Contract	-1,250.00
Bill Pmt -C...	04/07/2021	6856	Sierra Garage	Fuel Pump replacement in Dodge	-675.64
Bill Pmt -C...	04/07/2021	6857	Sierra Valley Home Center	1100	-192.09
Bill Pmt -C...	04/07/2021	6858	Silver State Analytical La...		-281.00
Bill Pmt -C...	04/07/2021	6859	Verizon Wireless	370745244-000001	-99.07
Bill Pmt -C...	04/07/2021	6860	Banner Communications	5 channel VHF pager	-2,358.41
Bill Pmt -C...	04/07/2021	6861	Plumas-Sierra Telecomm.		-109.00
Bill Pmt -C...	04/07/2021	6862	Plumas Sierra Rural Ele...		-5,654.77
Bill Pmt -C...	04/07/2021	6863	S.C.O.R.E.	Quarterly Preium for Worker's Co...	-6,499.12
Bill Pmt -C...	04/07/2021	6864	O'Reilly Auto Parts		-149.71

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05/06/21

Cash Basis

City of Loyalton
Bills Paid
As of April 30, 2021

Type	Date	Num	Name	Memo	Paid Amo...
Bill Pmt -C...	04/07/2021	6865	Sheltons' Gas Heating a...	Furnace repair in City Hall	-180.00
Check	04/14/2021	6866	Dale Simerson	North Complex 9.8.2020 - 9.22.2...	-8,213.47
Check	04/14/2021	6867	Benjamin Tidwell	North Complex 9.8.2020 - 9.22.2...	-2,912.82
Paycheck	04/16/2021	6868	Jordan, Keith S.		-1,649.41
Paycheck	04/16/2021	6869	LeBlanc, Katherine L		-663.17
Paycheck	04/16/2021	6870	Stockdale, Jamie		-1,114.60
Paycheck	04/16/2021	6871	Wall, Phillip G		-1,656.53
Bill Pmt -C...	04/14/2021	6872	Amerigas*	201913977	-405.03
Bill Pmt -C...	04/14/2021	6873	AT&T CALNET 3		-99.89
Bill Pmt -C...	04/14/2021	6874	Farr West Engineering	SALTS program	-258.00
Bill Pmt -C...	04/14/2021	6875	Gary Price		-9,530.00
Bill Pmt -C...	04/14/2021	6876	Intermountain Disposal, ...		-154.65
Bill Pmt -C...	04/14/2021	6877	Kelly Champion		-1,263.06
Bill Pmt -C...	04/14/2021	6878	Plumas-Sierra Telecomm.	210 Front St	-707.10
Bill Pmt -C...	04/14/2021	6879	Porter Simon Profession...	92132-13200M	-2,460.00
Bill Pmt -C...	04/14/2021	6880	Silver State Analytical La...		-669.00
Bill Pmt -C...	04/14/2021	6881	Soffline Data	W/S Bill Cards	-221.00
Bill Pmt -C...	04/14/2021	6882	USA Blue Book		-572.37
Bill Pmt -C...	04/14/2021	6883	Xerox Corporation	951429299	-291.82
Check	04/19/2021	6884	John Evans	Zogg Fire 9/28/2020 - 10/07/2020	-7,383.66
Check	04/19/2021	6885	Keith Jordan	Zogg Fire 9/28/2020 - 10/07/2020	-7,383.66
Check	04/19/2021	6886	Ora Heaston	Zogg Fire 9/30/2020 - 10/07/2020	-5,537.75
Check	04/19/2021	6887	Robert Holbrook	Zogg Fire 9/28/2020 - 10/07/2020	-5,537.75
Check	04/19/2021	6888	Michael Cory	Zogg Fire 9/28/2020 - 10/07/2020	-5,537.75
Check	04/21/2021	6889	Sierra County Clerk-Rec...	Lease of Lean	-20.00
Bill Pmt -C...	04/21/2021	6890	Amerigas*	201913977	-962.89
Bill Pmt -C...	04/21/2021	6891	Farr West Engineering	Cleanup and Abatement Order	-4,746.75
Bill Pmt -C...	04/21/2021	6892	Flag Store	Flag for Cemetery	-80.00
Bill Pmt -C...	04/21/2021	6893	Mountain Messenger	Notice of Public Hearing	-207.00
Bill Pmt -C...	04/21/2021	6894	Sierra Controls, LLC	NRA-Loyal 19/20 NETBITER RE...	-250.00
Bill Pmt -C...	04/21/2021	6895	Silver State Analytical La...		-144.00
Paycheck	04/30/2021	6896	Jordan, Keith S.		-1,613.69

3:54 PM

05/06/21

Cash Basis

City of Loyaltan
Bills Paid

As of April 30, 2021

Type	Date	Num	Name	Memo	Paid Amo...
Paycheck	04/30/2021	6897	LeBlanc, Katherine L		-634.72
Paycheck	04/30/2021	6898	Stockdale, Jamie		-1,168.93
Paycheck	04/30/2021	6899	Wall, Phillip G		-1,690.94
Check	04/27/2021	6910	Intermountain Disposal, ...	Demo Abatment order for 11 Zolli...	-2,500.00
Bill Pmt -C...	04/28/2021	6911	Liberty Utilities		-5,403.12
Bill Pmt -C...	04/28/2021	6912	Sheltons' Gas Heating a...	Fernace Repair	-180.00
Bill Pmt -C...	04/28/2021	6913	Silver State Analytical La...	BOD-5	-63.00
Bill Pmt -C...	04/28/2021	6914	Town of Truckee	Extended Hold - Dog	-1,454.36
Bill Pmt -C...	04/28/2021	6915	Verizon Wireless	370745244-000001	-99.09
Check	04/29/2021	6916	Postmaster	W/S Bills	-19.99

Total General Checking 1956- NEW

-193,833.52

General Contingency Saving 0322

Total General Contingency Saving 0322

Total General Funds

-193,833.52

Designated Funds

WWTP Settlement MM 4321

Total WWTP Settlement MM 4321

WWTP Construction 1990

Total WWTP Construction 1990

Community Dev Block Grant 0059

Total Community Dev Block Grant 0059

Total Designated Funds

TOTAL

-163,833.52

Acknowledgement of Approval, City of Loyalton

The City of Loyalton acknowledges approval of the below listed Transfer(s) of Funds.

Transfer From	Transfer To	Date	Amount
General Fund	Enterprise Loan MM 0559	06/04/2021	
	Water		1,500.00
	Sewer		4,500.00
General Fund	Enterprise Loan MM 0559	06/11/2021	
	Water		1,500.00
	Sewer		4,500.00
General Fund	Enterprise Loan MM 0559	06/18/2021	
	Water		1,500.00
	Sewer		4,500.00
General Fund	Enterprise Loan MM 0559	06/25/2021	
	Water		1,500.00
	Sewer		4,500.00

THIS TOTAL

\$24,000.00

This authorization took place at the council meeting held on 5/18/2020 and will be further reflected in the council minutes of this meeting.

Authorized Signature

Sarah Jackson, Vice Mayor, Dated 5/18/2020

Acknowledgement of Approval, City of Loyalton

The City of Loyalton acknowledges approval of the below listed Transfer(s) of Funds.

Transfer From	Transfer To	Date:	Amount
General Account (1956)	F.D. Reserve (7243)	5/18/2021	\$37,914.54
Zogg Fire 9/28/2020 – 10/7/2020			

TOTAL **\$37,914.54**

This authorization took place at the regular council meeting held on 5/18/2021 and will be further reflected in the council minutes of this meeting.

Sarah Jackson, Mayor, Dated 5/18/2021

Authorized Signature

City of Loyalton
Profit & Loss Budget vs. Actual General
 July 2020 through April 2021

	Jul '20 - Apr 21	Budget
Ordinary Income/Expense		
Income		
Donations	586.00	
Property Taxes		
Clerk Fees	952.04	
Admin Fee	-6,208.63	
Secured	66,537.92	
Unsecured	1,362.33	
Property Taxes - Other	0.00	45,000.00
Total Property Taxes	62,643.66	45,000.00
License & Fee Revenues		
ADA Fee	172.00	
Sales & Use	56,748.34	70,000.00
Franchise	7,347.21	7,700.00
Business License	4,960.00	4,500.00
Total License & Fee Revenues	69,227.55	82,200.00
Enterprise Income		
Charges for Services Misc	750.25	
Total Enterprise Income	750.25	
Charges for Current Services		
Pavilion Deposit	65.00	
Permit & Fee Revenue		
Building Permits	1,757.00	4,000.00
Total Permit & Fee Revenue	1,757.00	4,000.00
Copies & Faxes	508.00	
Cemetery		
Plots	150.00	
Total Cemetery	150.00	
Rent Income		
Park Building Rent	13,466.00	
Rent Income - Other	0.00	10,800.00
Total Rent Income	13,466.00	10,800.00
Total Charges for Current Services	15,946.00	14,800.00
Revenue Use of Money & Property		
Interest Income		
LAIF Interest Income	0.00	14,400.00
Interest Income - Other	21.98	
Total Interest Income	21.98	14,400.00
Revolving Loan	0.00	2,000.00
Total Revenue Use of Money & Property	21.98	16,400.00
Miscellaneous Revenue		
S.C.O.R.E.	0.00	5,000.00

City of Loyalton
Profit & Loss Budget vs. Actual General
July 2020 through April 2021

	Jul '20 - Apr 21	Budget
Other Income	1,223.56	
Miscellaneous Revenue - Other	531.95	
Total Miscellaneous Revenue	1,755.51	5,000.00
Total Income	150,930.95	163,400.00
Gross Profit	150,930.95	163,400.00
Expense		
Late Fee	69.00	
Finance Charge	28.11	
Small Tools & Equipment		
Safety Equipment	59.98	
Small Tools & Equipment - Other	307.36	
Total Small Tools & Equipment	367.34	
Repairs & Maintenance	3,240.85	2,400.00
Building Repairs	3,363.00	23,520.00
Utilities		
Security	216.00	200.00
Internet - Broadband	163.50	200.00
Propane	7,115.73	5,000.00
Electric	3,023.21	5,000.00
Garbage Disposal	688.87	760.00
Total Utilities	11,207.31	11,160.00
Janitorial	16.76	
Equipment Repair & Maintenance	982.57	500.00
Taxes		
Solid Waste Benefit Assessment	4,816.04	
Total Taxes	4,816.04	
Salaries and Wages		
Regular Wages	18,685.40	12,670.00
Part Time Wages	16,012.33	17,840.00
Temp Wages	69.53	
Payroll Tax Expense	5,604.86	2,300.00
Payroll Service Expense	106.67	
Total Salaries and Wages	40,478.79	32,810.00
Employee Benefits		
Pension Pay Expense	3,932.98	
Retirement Benefit, Nationwide	0.00	14,400.00
Total Employee Benefits	3,932.98	14,400.00
Services and Supplies		
Postage	214.41	200.00
Advertising	1,212.13	400.00
Automobile Expense		
Fuel	439.50	600.00

City of Loyalton
Profit & Loss Budget vs. Actual General
July 2020 through April 2021

	Jul '20 - Apr 21	Budget
Automobile Expense - Other	554.84	60.00
Total Automobile Expense	994.34	660.00
Bank Service Charges	26.29	250.00
Contracted Services		
Building Permits		
DSA 796 Fees	16.40	
Building Permits - Other	-99.00	
Total Building Permits	-82.60	
Housing Element	35,490.00	
Professional Fees	2,577.90	2,000.00
Legal Fees	6,344.16	3,000.00
Auditing Expense	2,608.50	5,000.00
Accounting & Financial	2,446.31	7,000.00
Law Enforcement	8,750.00	15,000.00
Council Expense		
City Clerk	1,370.00	1,800.00
Council Expense - Other	2,218.44	2,970.00
Total Council Expense	3,588.44	4,770.00
Contracted Services - Other	1,171.50	
Total Contracted Services	62,894.21	36,770.00
Dues and Subscriptions	1,903.78	250.00
Insurance		
Workers Comp.	974.87	1,500.00
Liability Insurance	1,897.56	3,370.00
Property Insurance	0.00	1,120.00
Travel for SCORE	0.00	375.00
Insurance - Other	5,851.00	1,065.00
Total Insurance	8,723.43	7,430.00
Miscellaneous	4,497.08	
Office Expense	1,960.14	6,000.00
Operating Supplies	1,291.22	500.00
Telephone	346.86	670.00
Services and Supplies - Other	384.67	
Total Services and Supplies	84,448.56	53,130.00
Total Expense	152,951.31	137,920.00
Net Ordinary Income	-2,020.36	25,480.00
Other Income/Expense		
Other Expense		
Transfers Out	13,780.00	13,780.00
Debt Service		
Interest Expense	15.00	
Total Debt Service	15.00	

City of Loyalton
Profit & Loss Budget vs. Actual General
July 2020 through April 2021

	Jul '20 - Apr 21	Budget
Total Other Expense	13,795.00	13,780.00
Net Other Income	-13,795.00	-13,780.00
Net Income	-15,815.36	11,700.00

City of Loyalton
Profit & Loss Budget vs. Actual Water
 July 2020 through April 2021

	Jul '20 - Apr 21	Budget
Ordinary Income/Expense		
Income		
Transfer In		
Enterprise Income		
Water Service Income	235,799.13	245,000.00
Total Enterprise Income	235,799.13	245,000.00
Revenue Use of Money & Property		
Interest Income		
LAIF Interest Income	1,500.00	15,300.00
Interest Income - Other	177.09	
Total Interest Income	1,677.09	15,300.00
Total Revenue Use of Money & Proper	1,677.09	15,300.00
Total Income	237,476.22	260,300.00
Gross Profit	237,476.22	260,300.00
Expense		
Small Tools & Equipment		
Safety Equipment	81.20	200.00
Small Tools & Equipment - Other	70.45	300.00
Total Small Tools & Equipment	151.65	500.00
Repairs & Maintenance	1,861.90	2,000.00
Utilities		
Security	72.00	75.00
Internet - Broadband	436.00	540.00
Propane	818.24	400.00
Electric	58,464.08	65,500.00
Garbage Disposal	74.33	82.00
Total Utilities	59,864.65	66,597.00
Equipment Repair & Maintenance	271.56	6,100.00
Taxes		
Solid Waste Benefit Assessment	191.46	250.00
Total Taxes	191.46	250.00
Salaries and Wages		
Regular Wages	17,466.70	28,000.00
Part Time Wages	14,498.00	25,300.00
Payroll Tax Expense	2,866.76	4,500.00
Payroll Service Expense	12.67	
Total Salaries and Wages	34,844.13	57,800.00
Employee Benefits		
Pension Pay Expense	15,758.35	
Retirement Benefit, Nationwide	0.00	15,300.00
Health Insurance	1,273.99	
Total Employee Benefits	17,032.34	15,300.00

City of Loyalton
Profit & Loss Budget vs. Actual Water
July 2020 through April 2021

	Jul '20 - Apr 21	Budget
Services and Supplies		
Postage	1,023.30	1,200.00
Advertising	309.39	
Automobile Expense		
Fuel	625.69	1,100.00
Automobile Expense - Other	513.73	200.00
Total Automobile Expense	1,139.42	1,300.00
Bank Service Charges	194.63	50.00
Chemicals	1,243.06	2,200.00
Contracted Services		
Health/Drug Screening	0.00	33.00
Professional Fees	0.00	1,000.00
Legal Fees	206.67	1,000.00
Auditing Expense	5,127.00	5,200.00
Consulting	0.00	2,000.00
Accounting & Financial	1,382.50	2,300.00
Testing	4,209.00	
Contracted Services - Other	964.00	
Total Contracted Services	11,889.17	11,533.00
Dues and Subscriptions	1,485.27	1,400.00
Insurance		
Workers Comp.	7,798.95	8,300.00
Liability Insurance	4,892.30	11,000.00
Property Insurance	0.00	5,000.00
Insurance - Other	56.00	
Total Insurance	12,747.25	24,300.00
Licenses and Permits	3,502.00	4,000.00
Miscellaneous	83.33	720.00
Office Expense	1,119.92	1,000.00
Operating Supplies	1,240.70	1,500.00
Telephone	907.02	1,000.00
Total Services and Supplies	36,884.46	50,203.00
Total Expense	151,102.15	198,750.00
Net Ordinary Income	86,374.07	61,550.00
Other Income/Expense		
Other Income		
Sale of Assets	6,375.00	
Total Other Income	6,375.00	
Other Expense		
Debt Service		
USDA Loan 91-05 Water	20,600.00	0.00
Interest Expense		

City of Loyalton
Profit & Loss Budget vs. Actual Water
July 2020 through April 2021

	Jul '20 - Apr 21	Budget
Interest 91-05 Water	20,867.50	
Total Interest Expense	20,867.50	
Total Debt Service	41,467.50	0.00
Total Other Expense	41,467.50	0.00
Net Other Income	-35,092.50	0.00
Net Income	51,281.57	61,550.00

City of Loyalton
Profit & Loss Budget vs. Actual Sewer
 July 2020 through April 2021

	Jul '20 - Apr 21	Budget
Ordinary Income/Expense		
Income		
Transfer In		30,000.00
Enterprise Income		
Sewer Service Income		
Sewer Service Income - Other	0.00	350,000.00
Sewer Service Income - Other	307,903.00	
Total Sewer Service Income	307,903.00	350,000.00
Total Enterprise Income	307,903.00	350,000.00
Revenue Use of Money & Property		
Dividend Income- CalTrust	296.25	
Interest Income		
LAIF Interest Income	23,159.97	15,300.00
Interest Income - Other	643.69	
Total Interest Income	23,803.66	15,300.00
Total Revenue Use of Money & Property	24,099.91	15,300.00
Miscellaneous Revenue		
Other Income	6,960.00	
Total Miscellaneous Revenue	6,960.00	
Total Income	338,962.91	395,300.00
Gross Profit	338,962.91	395,300.00
Expense		
Small Tools & Equipment		
Safety Equipment	81.20	
Small Tools & Equipment - Other	47.49	1,000.00
Total Small Tools & Equipment	128.69	1,000.00
Repairs & Maintenance	1,418.19	8,000.00
Utilities		
Security	72.00	75.00
Internet - Broadband	436.00	540.00
Propane	2,891.63	2,200.00
Electric	28,727.90	36,000.00
Garbage Disposal	479.97	650.00
Total Utilities	32,607.50	39,465.00
Equipment Repair & Maintenance	6,063.63	8,000.00
Taxes		
Solid Waste Benefit Assessment	861.96	840.00
Total Taxes	861.96	840.00
Salaries and Wages		
Regular Wages	38,469.65	50,000.00
Part Time Wages	14,864.89	2,500.00
Payroll Tax Expense	4,842.01	6,800.00

City of Loyalton
Profit & Loss Budget vs. Actual Sewer
July 2020 through April 2021

	Jul '20 - Apr 21	Budget
Payroll Service Expense	12.66	
Total Salaries and Wages	58,189.21	59,300.00
Employee Benefits		
Pension Pay Expense	15,758.25	
Retirement Benefit, Nationwide	0.00	15,300.00
Health Insurance	1,274.00	3,400.00
Total Employee Benefits	17,032.25	18,700.00
Services and Supplies		
Postage	1,023.28	1,200.00
Advertising	309.36	
Automobile Expense		
Fuel	1,965.21	1,200.00
Automobile Expense - Other	749.84	500.00
Total Automobile Expense	2,715.05	1,700.00
Bank Service Charges	337.26	50.00
Chemicals	1,790.71	2,000.00
Contracted Services		
Health/Drug Screening	0.00	30.00
Professional Fees	0.00	2,100.00
Legal Fees	386.67	2,000.00
Auditing Expense	5,127.00	5,200.00
Consulting	0.00	2,000.00
Accounting & Financial	1,417.50	2,500.00
Testing	5,799.00	5,000.00
Contracted Services - Other	4,705.50	4,050.00
Total Contracted Services	17,435.67	22,880.00
Dues and Subscriptions	551.08	200.00
Insurance		
Workers Comp.	7,798.95	8,200.00
Liability Insurance	4,892.30	8,000.00
Property Insurance	0.00	5,000.00
Insurance - Other	56.00	
Total Insurance	12,747.25	21,200.00
Licenses and Permits	20,932.12	19,265.00
Miscellaneous	83.34	
Office Expense	1,209.03	1,000.00
Operating Supplies	3,854.86	3,500.00
Telephone	1,225.44	1,500.00
Travel	0.00	200.00
Services and Supplies - Other	25.35	
Total Services and Supplies	64,239.80	74,695.00
Total Expense	180,541.23	210,000.00

City of Loyalton
Profit & Loss Budget vs. Actual Sewer
 July 2020 through April 2021

	Jul '20 - Apr 21	Budget
Net Ordinary Income	158,421.68	185,300.00
Other Income/Expense		
Other Income		
Sale of Assets	6,375.00	
Total Other Income	6,375.00	
Other Expense		
Debt Service		
USDA Loan 92-03 Sewer	7,480.29	
USDA Loan 92-01 Sewer	51,811.59	
Debt Reserve 92-07 Sewer	105,912.50	
Interest Expense		
Interest 92-01 Sewer	16,621.59	
Interest 92-03 Sewer	2,495.04	
Interest 92-07 Sewer	37,775.00	
Total Interest Expense	56,891.63	
Total Debt Service	222,096.01	
Capital Outlay		
Pond Repairs	174,471.75	30,000.00
Construction Costs	233.42	
Total Capital Outlay	174,705.17	30,000.00
Total Other Expense	396,801.18	30,000.00
Net Other Income	-390,426.18	-30,000.00
Net Income	-232,004.50	155,300.00

City of Loyaltyon
Profit & Loss Budget vs. Actual Fire
 July 2020 through April 2021

	Jul '20 - Apr 21	Budget
Ordinary Income/Expense		
Income		
Transfer In	10,000.00	10,000.00
Charges for Current Services		
Service Area Revenue- Fire Prot	20,813.64	45,000.00
Charges for Current Services - Other	622.82	
Total Charges for Current Services	<u>21,436.46</u>	<u>45,000.00</u>
Revenue Use of Money & Property		
Interest Income	45.66	
Total Revenue Use of Money & Property	<u>45.66</u>	
Fire Fighting Revenue		
Fire Fighting Revenue-Admin	22,284.30	
Fire Fighting Revenue-Engine Co	120,110.50	
Fire Fighting Revenue-Personnel	137,509.03	
Total Fire Fighting Revenue	<u>279,903.83</u>	
Total Income	<u>311,385.95</u>	<u>55,000.00</u>
Gross Profit	<u>311,385.95</u>	<u>55,000.00</u>
Expense		
Fire Fighting Expenses		
Fire Fighting Wages	138,362.48	
Fire Fighting Expenses - Other	1,945.29	
Total Fire Fighting Expenses	<u>140,307.77</u>	
Late Fee	19.00	
Finance Charge	1.00	
Small Tools & Equipment		
Safety Equipment	4,913.86	4,400.00
Small Tools & Equipment - Other	4,963.15	5,200.00
Total Small Tools & Equipment	<u>9,877.01</u>	<u>9,600.00</u>
Repairs & Maintenance	3,570.48	2,000.00
Building Repairs	241.25	
Utilities		
Internet - Broadband	816.10	
Propane	1,314.55	1,200.00
Electric	3,566.28	4,400.00
Garbage Disposal	297.34	440.00
Total Utilities	<u>5,994.27</u>	<u>6,040.00</u>
Equipment Repair & Maintenance	6,357.47	2,000.00
Taxes		
Solid Waste Benefit Assessment	1,394.12	1,400.00
Total Taxes	<u>1,394.12</u>	<u>1,400.00</u>
Salaries and Wages		
Part Time Wages	354.90	

City of Loyalton
Profit & Loss Budget vs. Actual Fire
 July 2020 through April 2021

	Jul '20 - Apr 21	Budget
Payroll Tax Expense	39.86	
Total Salaries and Wages	394.76	
Services and Supplies		
Postage	25.34	
Advertising	159.15	
Automobile Expense		
Fuel	2,979.12	1,800.00
Automobile Expense - Other	243.64	
Total Automobile Expense	3,222.76	1,800.00
Bank Service Charges	55.00	30.00
Contracted Services		
Legal Fees	540.00	420.00
Auditing Expense	1,549.00	
Accounting & Financial	630.00	
Testing	1,274.00	
Contracted Services - Other	2,376.00	
Total Contracted Services	6,369.00	420.00
Dues and Subscriptions	205.00	
Insurance		
Workers Comp.	1,949.74	2,000.00
Liability Insurance	649.92	110.00
Property Insurance	0.00	640.00
Total Insurance	2,599.66	2,750.00
Miscellaneous		
Meals	671.89	
Miscellaneous - Other	172.73	170.00
Total Miscellaneous	844.62	170.00
Office Expense	249.93	100.00
Operating Supplies	4,590.80	754.00
Telephone	528.65	700.00
Training	252.00	
Travel	1,088.77	
Services and Supplies - Other	254.65	
Total Services and Supplies	20,445.33	6,724.00
Uncategorized Expenses	0.00	15,536.00
Total Expense	188,602.46	43,300.00
Net Ordinary Income	122,783.49	11,700.00
Other Income/Expense		
Other Income		
Sale of Assets	14,250.00	
Total Other Income	14,250.00	
Net Other Income	14,250.00	

City of Loyaltyon
Profit & Loss Budget vs. Actual Fire
July 2020 through April 2021

	Jul '20 - Apr 21	Budget
Net Income	137,033.49	11,700.00

City of Loyalton
Profit & Loss Budget vs. Actual Streets
July 2020 through April 2021

	Jul '20 - Apr 21	Budget
Ordinary Income/Expense		
Income		
Transfer In	3,780.00	3,780.00
Property Taxes		
Admin Fee	0.00	2,400.00
Total Property Taxes	0.00	2,400.00
Intergovernmental - State		
Road Maintenance & Rehab	10,605.96	13,800.00
VLF Swap	572.87	28,800.00
Traffic Congestion Relief	0.00	860.00
Highway Users Tax		
2103 (Gas Tax)	4,426.79	5,300.00
2105	3,297.13	3,900.00
2106	5,045.92	6,000.00
2107	5,252.06	5,400.00
2107.5	1,000.00	1,000.00
Total Highway Users Tax	19,021.90	21,600.00
Total Intergovernmental - State	30,200.73	65,060.00
Revenue Use of Money & Property		
Interest Income	7.23	
Total Revenue Use of Money & Property	7.23	
Total Income	33,987.96	71,240.00
Gross Profit	33,987.96	71,240.00
Expense		
Small Tools & Equipment	41.39	
Repairs & Maintenance	1,351.50	4,600.00
Utilities		
Internet - Broadband	54.50	
Propane	389.29	
Electric	21,407.31	44,000.00
Total Utilities	21,851.10	44,000.00
Equipment Repair & Maintenance	2,187.75	3,500.00
Taxes		
Solid Waste Benefit Assessment	91.60	
Total Taxes	91.60	
Salaries and Wages		
Regular Wages	6,741.24	8,100.00
Temp Wages	42.00	
Payroll Tax Expense	674.35	720.00
Total Salaries and Wages	7,457.59	8,820.00
Services and Supplies		
Postage	49.35	

City of Loyalton
Profit & Loss Budget vs. Actual Streets
 July 2020 through April 2021

	Jul '20 - Apr 21	Budget
Automobile Expense		
Fuel	601.62	1,300.00
Automobile Expense - Other	41.12	
Total Automobile Expense	642.74	1,300.00
Contracted Services		
Auditing Expense	2,298.50	1,300.00
Accounting & Financial	89.25	
Contracted Services - Other	0.00	1,500.00
Total Contracted Services	2,387.75	2,800.00
Dues and Subscriptions	51.70	
Insurance		
Workers Comp.	974.85	1,200.00
Liability Insurance	898.10	3,300.00
Property Insurance	0.00	1,200.00
Insurance - Other	14.00	
Total Insurance	1,886.95	5,700.00
Office Expense	0.00	80.00
Operating Supplies	206.63	400.00
Telephone	28.54	40.00
Total Services and Supplies	5,253.66	10,320.00
Total Expense	38,234.59	71,240.00
Net Ordinary Income	-4,246.63	0.00
Net Income	-4,246.63	0.00

order has been received.

- Order number: **15757**
- Date: **April 27, 2021**
- Email: **lawnorthoftheyuba@aol.com**
- Total: **\$1,700.00**
- Payment method: **Credit Card (Stripe)**

PAID FROM
ASSOCIATION FUN
NEED REIMBURSEMENT

Order details

Product	Total
Fire Apparatus Driver/Operator 1A: Emergency Vehicle Operations - Beckwourth Grizzly Station - June x 4	\$1,700.00

Subtotal: \$1,700.00

Payment method: Credit Card (Stripe)

Total: \$1,700.00



Chapter 8.08 ANIMALS

Sections:

8.08.010	Citation.
8.08.020	Definitions.
8.08.030	Jurisdiction.
8.08.040	Absence of liability.
8.08.050	Responsibility.
8.08.060	Dogs killing livestock.
8.08.070	Rules and regulations.
8.08.080	Authority to carry firearms.
8.08.090	Arrest without warrant – Citation procedure.
8.08.100	Authority to use tranquilizers.
8.08.110	Authority to enter property.
8.08.120	Authority to pursue.
8.08.130	Summary action.
8.08.140	Violations.
8.08.150	Animals causing property damage.
8.08.160	Nuisance dogs.
8.08.170	Vicious or dangerous animals.
8.08.180	Duty to report bite.
8.08.190	Taking up stray animals.
8.08.200	Animals subject to impoundment.
8.08.210	<i>Repealed.</i>
8.08.220	Period of impoundment.
8.08.230	Redemption.
8.08.240	Disposition of impounded animals.
8.08.250	Impound fees.
8.08.260	Quarantine.
8.08.270	Delivery of carcass.
8.08.280	Vaccination.
8.08.290	Licenses.
8.08.300	Renewal notices.
8.08.310	Kenneled dogs.
8.08.320	Kennel licenses.
8.08.330	Damage to property – Cats.
8.08.340	Dead animal.
8.08.350	Unlawful disposal prohibited.
8.08.360	Exceptions.

8.08.370	Cost of removal.
8.08.380	<i>Repealed.</i>
8.08.390	Status of violations.
8.08.400	Penalty for violations.
8.08.410	Damages.

Prior legislation: Ord. [678](#)

8.08.010 Citation.

This chapter shall be known as, and may be cited and referred to as, the “Animal Control Law.” (Ord. 757, eff. 4/19/90. Formerly 8.08.150)

8.08.020 Definitions.

“Animal,” for the purposes of this chapter, shall mean dogs or any domesticated animal of the canine family. “Animal” does not include species of animals commonly kept or raised in Sierra County as “farm animals,” including cattle, sheep, horses, goats and swine.

“Animal control” means that section of the county government which is specifically charged with the regulation of, and the enforcement of, laws dealing with animals existing within the unincorporated territories of the county and incorporated areas thereof which may, from time to time, contract with the county for such services.

“Animal control center” means the facilities provided by the county for impounding of animals, either directly or on contract.

“At large” means an animal off the premises of its owner and not under restraint by leash, or not under control and in the immediate presence of the owner. “At large,” as applied to dogs, shall also mean any dog on any road or street, whether publicly or privately maintained, and not under restraint by leash, and not under the control and in the immediate presence of the owner. A privately maintained road or street shall not include any such road or street serving two or less residences or businesses. For animals other than dogs, it shall also mean any unattended animal not confined by an adequate fence or restrained by a tether. An adequate fence is any fence which is good, strong, substantial, and sufficient to prevent the ingress and egress of the unattended animal. Further, any fence which is intended to restrict the ingress or egress of any particular animal which has the capacity to go over, under, or through any fence in question is not a good and substantial fence unless its design and capacity is sufficient to prevent ingress and egress by the particular animal or animal in question. Livestock, including cattle, sheep, horses and those animals excluded under the definition of “animal” in this section, are not included in this definition of “at large” animals.

“Chief of Animal Control” means the person designated by the County Director of Health to serve such capacity.

“County” means, unless otherwise specified, Sierra County.

“Health Department” means the Health Department of the county.

“Health Officer” means the Health Officer of the county and any Health Department employee or other person duly authorized by the Health Officer to act on his behalf.

“Impoundment” means the taking up and confining of an animal under the authority of the Chief of Animal Control in a manner consistent with recognized standards of humane treatment.

“Kennel” means any enclosure, premises, building, structure, lot or area in or on which five or more dogs of at least four months of age are kept, harbored or maintained, for commercial or noncommercial purposes.

“Owner” means a person who possesses, has title to or an interest in, harbors, or has control, custody or possession of an animal. The verb form of “to own” includes all these shades of meaning.

“Person” means fictional entities such as corporations, estates, associations, partnerships and trusts, as well as one or more individual human beings.

“Vaccination” means the inoculation of a dog or other animal with a vaccine approved by and in the manner prescribed by the State Department of Public Health.

“Veterinarian” means a person licensed by the state of California to practice veterinary medicine. (Ord. 767, eff. 3/21/91; Ord. 757, eff. 4/19/90. Formerly 8.08.010 through 8.08.140)

8.08.030 Jurisdiction.

Animal Control shall be under the direction and supervision of the Director of Health. (Ord. 757, eff. 4/19/90. Formerly 8.08.160)

8.08.040 Absence of liability.

No liability shall be incurred for the disposition of any animal made pursuant to the provisions of this chapter. (Ord. 757, eff. 4/19/90. Formerly 8.08.170)

8.08.050 Responsibility.

The Director of Health shall be responsible for administrating this chapter and shall have the authority to appoint a Chief of Animal Control. If no such appointment is made, the Director of Health shall be the Chief of Animal Control. The Chief of Animal Control is responsible for:

- A. The enforcement of this law; and
- B. All laws of the state of California pertaining to the control of dogs and other animals and the humane treatment of animals; and
- C. His duties shall include but not be limited to the administration of any contract or contracts providing the following services or to administer the following services directly:
 1. To administer the Animal Control Center and keep such records as may be required by the Board of Supervisors;
 2. To take up and impound animals which are in violation of this chapter;
 3. To remove and dispose of the carcass of any animal found on any public highway, street, alley and other public place;
 4. To quarantine animals and to cooperate with the County Health Officer;
 5. To administer licensing programs as provided for herein;
 6. To administer rabies clinics. (Ord. 757, eff. 4/19/90. Formerly 8.08.180)

8.08.060 Dogs killing livestock.

The Chief of Animal Control, the Sheriff, or any Deputy Sheriff may kill or authorize the killing of any dog found in the act of killing, wounding or persistently pursuing or worrying livestock or poultry on land or premises which are not owned or possessed by the owner of the dog. (Ord. 757, eff. 4/19/90. Formerly 8.08.190)

8.08.070 Rules and regulations.

The Chief of Animal Control may formulate rules and regulations in conformity with, and for the purposes of carrying out, the intent of this chapter and compliance with such rules and regulations shall be prerequisite to the issuance and continued validity of any license or permit provided. (Ord. 757, eff. 4/19/90. Formerly 8.08.200)

8.08.080 Authority to carry firearms.

The Chief of Animal Control and such animal control officers as he may specifically designate in writing are authorized to carry firearms when acting in the course and scope of their employment pursuant to Cal. Penal Code § [12031](#). (Ord. 757, eff. 4/19/90. Formerly 8.08.210)

8.08.090 Arrest without warrant – Citation procedure.

A. Any public officer or employee charged with the responsibility for enforcement of the provisions of this chapter may arrest a person with or without a warrant whenever he has reasonable cause to believe that the person to be arrested has committed a misdemeanor in his presence which is in violation of this chapter.

B. In any case in which a person arrested, pursuant to subsection [\(A\)](#) of this section, does not demand to be taken before a magistrate, such public officer or employee making the arrest shall prepare a written notice to appear and release the person on his promise to appear, as prescribed by Chapter 5C (commencing with Cal. Pen. Code § [853.6](#)) of the [California Penal Code](#). The provisions of such chapter shall thereafter apply with reference to any proceeding based upon the issuance of a written notice to appear pursuant to this authority. (Ord. 757, eff. 4/19/90. Formerly 8.08.220)

8.08.100 Authority to use tranquilizers.

In performance of his duties the Chief of Animal Control shall have the authority to employ the use of the tranquilizer gun and all animal control devices in common use within the state. (Ord. 757, eff. 4/19/90. Formerly 8.08.230)

8.08.110 Authority to enter property.

The Chief of Animal Control may, in the performance of his duties, enter upon any property pursuant to law to ascertain if any of the provisions of this chapter are being violated. (Ord. 757, eff. 4/19/90. Formerly 8.08.240)

8.08.120 Authority to pursue.

In the performance of his duties, the Chief of Animal Control shall have the authority, when in pursuit of an animal which is in violation of a provision of this chapter, to go on the property of the owner or that of a third

person for the purpose of impounding the animal; provided, that in the course of such pursuit he shall exercise reasonable care to avoid causing damage to the property. (Ord. 757, eff. 4/19/90. Formerly 8.08.250)

8.08.130 Summary action.

Notwithstanding any other provisions of this chapter, if, in the judgment of the Chief of Animal Control, with the concurrence of the Director of Health, an animal found to be at large is unfit, and of no further use, dangerous, injured, or ill or should be destroyed, the Chief of Animal Control may, at any time, in a humane manner, destroy such animal. (Ord. 757, eff. 4/19/90. Formerly 8.08.260)

8.08.140 Violations.

It shall be unlawful for the owner of any animal to violate any of the provisions of this chapter hereinbefore or hereinafter set out, or to commit any of the following acts:

- A. To allow any animal to run at large.
- B. To allow any animal to trespass upon public property or upon any private property without the consent of the owner of the property.
- C. If unauthorized, to remove from any dog any collar or harness or other device to which a license tag is attached, for the current year, or to remove such license tag therefrom.
- D. To attach to, or keep upon, or cause or permit to be attached to or kept upon any dog any license tag provided by this chapter, except a tag issued for such dog under the provisions of this chapter, or to attach to or keep upon, or cause or permit to be attached to or kept upon any dog, or to make or to cause or permit to be made, or to have in possession, any counterfeit or imitation of any tag provided for by this chapter.
- E. To possess any unlicensed dog in the county, or to maintain, conduct or operate, or to cause or permit to be maintained or operated in the county any unlicensed dog kennel.
- F. To interfere with, oppose or resist the Chief of Animal Control while he is engaged in the performance of any act authorized by this chapter.
- G. To allow any female dog to run at large while in heat or breeding condition or to allow such female to remain accessible to other dogs running at large while said female is in heat or breeding condition.
- H. To permit any dog to trespass on any farm where livestock or domestic fowl are kept.
- I. To abandon any animal in Sierra County.

- J. To possess any dog over four months of age which does not have a current vaccination for rabies as evidenced by an official certificate thereof, except as otherwise provided in this chapter.
- K. To allow any animal to go without adequate food, water, shelter or proper care.
- L. To allow any dog known to be dangerous or vicious to run at large upon any street or other public place within the county.
- M. To own or possess any "pit bull" or "fighting dog" which is not confined within an adequate fenced area or other physical enclosure to prevent egress by such animal at all times such animal is not in the direct presence and control of the owner. (Ord. 757, eff. 4/19/90. Formerly 8.08.270)

8.08.150 Animals causing property damage.

If any person has any loss or damage to property, livestock or poultry which is caused by animals, the person may file a complaint in writing with the Chief of Animal Control. Such complaint shall state when and where the damage occurred, how much damage was done and, if known, the name of the person who owns the animal(s) or the custodian in charge. The Chief of Animal Control shall investigate the complaint and if he finds such conditions to exist, he may issue an order to conform requiring said owner or custodian to abate such conditions within a reasonable length of time. Failure of the owner or custodian to abate such condition shall constitute the maintenance of a public nuisance. (Ord. 757, eff. 4/19/90. Formerly 8.08.280)

8.08.160 Nuisance dogs.

- A. It shall be unlawful for any person to own, possess, harbor, control, or keep on any premises any dog that barks or howls so continuously or incessantly as to unreasonably disturb the peace and tranquility of the neighborhood. However, the provisions of this section shall not apply to any commercial dog kennel permitted by zoning law where located. The Animal Control Department is responsible for enforcement of the provisions of this section.
- B. For purposes of this section, evidence that the dog has barked or howled for an aggregate period of 20 minutes out of one hour shall be sufficient for conviction; provided, however, that any barking or howling provoked by a loose running dog or other animal, or nearby pedestrians, shall not be included in such aggregate time. Provocation in the forms listed herein must occur within 100 feet of the barking or howling dog to be sufficient.
- C. For purposes of this section, evidence that two or more dogs are provoking each other to bark shall be sufficient for conviction under this section, so long as the barking continues for an aggregate 20 minutes out of

one hour, regardless of which dog commenced the barking. In such instance, owners of each dog involved shall be subject to citation.

Proof that any individual dog barked for an aggregate 20 minutes out of an hour shall not be required if it is shown that the barking of the two or more dogs was continuous sequentially or in concert for a 20-minute period.

D. Upon receipt of any complaint based on continuous or incessant barking or howling, an animal control officer shall investigate and take a report from any complaining witness.

E. Upon evaluation of the report, if in the opinion of the animal control officer a valid complaint exists, the officer shall contact the owner of the animal complained about and advise the owner of the existence of the complaint, and instruct the owner to abate the nuisance.

F. If the animal control officer is unable to contact the owner personally, he shall leave posted on the premises in a conspicuous location a notice to contact Animal Control within five days regarding the complaint.

G. If a second complaint is received within a six-month period after the giving of such notice and warning regarding a dog barking or howling incessantly and continuously, whether or not the owner has responded to Animal Control as set forth in subsection (F) of this section, the animal control officer shall investigate the second complaint and take a report from any complaining witness.

H. Upon evaluation of the report, if in the opinion of the animal control officer the dog is creating a nuisance by barking or howling incessantly or continuously, the animal control officer shall issue a citation to the owner of said animal for a violation of this section. Unless the violation is a third repeat offense as defined in subsection (J) of this section, such violation shall be an infraction. Personal appearance before the court shall be mandatory. Forfeiture of bail shall not constitute a resolution of a violation of this section.

I. If the animal control officer receives a third complaint regarding the same animal within one year from the first complaint, he shall repeat the process set forth in subsections (G) and (H) of this section.

J. If the owner of the animal, at the time of the issuance of any citation, has been convicted of a violation of this section or has pled no contest to such violation on two occasions within the previous year regarding the same animal, the violation of this section may be charged as a misdemeanor.

K. If the animal control officer receives a complaint after one year or more has elapsed since the most recent prior complaint, the officer shall issue a warning and continue pursuant to subsections (E) through (I) of this section.

L. The penalty for conviction of an infraction based on this section shall be a fine of up to \$100.00.

M. The penalty for conviction of a misdemeanor based on this section shall be up to six months in jail and/or a fine of up to \$500.00, and the owner shall be required to either remove the dog from the premises or have the dog surgically debarked.

N. Nothing in this section shall be construed to prevent any party from bringing a civil action to abate the nuisance. (Ord. 757, eff. 4/19/90. Formerly 8.08.290)

8.08.170 Vicious or dangerous animals.

A. "Vicious or dangerous animal" shall mean any domesticated animal which shows a propensity to attack, bite, scratch, or harass people or other animals without provocation.

B. The owner of any animal that has bitten or attacked any human being or has killed, attacked, or caused damage to any other animal shall have the duty to take such reasonable steps as are necessary to prevent his animal from biting or attacking another human being or from killing, attacking, or causing damage to any other animal.

C. The Chief of Animal Control, as to such vicious or dangerous animal, is empowered to:

1. Notify the owner of such animal that such owner is required thereafter at all times to keep such animal in a secure enclosure or provide such other adequate secure restraint as may be specified; or
2. Notify the owner of such animal that reasonable cause exists, and a concise statement of reasons therefor, to believe that such animal will continue in the future to be a menace to the safety of human beings or to other animals and that a hearing will be conducted by the Board of Supervisors, or Hearing Officer selected by the Board, to determine whether such animal should be destroyed.

D. Should a hearing be ordered for an animal pursuant to subsection (C) of this section, the animal shall be impounded at the discretion of the Chief of Animal Control until after the hearing occurs and a decision is rendered. The Chief of Animal Control may as an alternative require the owner of the animal to post a cash bond in the amount up to \$500.00 or other security acceptable to County Counsel, which cash bond or other security shall be forfeited in the event the animal is not delivered into the custody of the Chief of Animal Control if such is ordered after consideration of all the evidence at the hearing.

1. Notification of such hearing shall be given by personal service of written notification on such owner not less than 10 calendar days prior to the hearing.
2. Such hearing shall be held not longer than 45 days after the animal is taken into custody, or 45 days after the incident if the animal is not in custody.

3. At such hearing, the owner shall have the right to testify, to be represented by counsel, to present witnesses on his own behalf, to cross examine all other witnesses, and present oral and written documents and evidence on the issue.

4. At the conclusion of the hearing, the Board or Hearing Officer may make such orders as are appropriate for the protection of the public, including, but not limited to, orders that the animal be destroyed by the Chief of Animal Control at a specified date, time, and location.

E. Failure to comply with any restraint order issued under this section is a misdemeanor. (Ord. 757, eff. 4/19/90. Formerly 8.08.300)

8.08.180 Duty to report bite.

It is the duty of any person having knowledge that any animal capable of transmitting rabies has bitten a human being within Sierra County to immediately report the fact to the Health Department, the Chief of Animal Control or the Sheriff and to furnish complete information thereof. (Ord. 757, eff. 4/19/90. Formerly 8.08.310)

8.08.190 Taking up stray animals.

It is the duty of any person that takes up a stray animal to notify the Chief of Animal Control within 48 hours of taking up the animal. (Ord. 757, eff. 4/19/90. Formerly 8.08.320)

8.08.200 Animals subject to impoundment.

Any animal which is, to the knowledge of the Chief of Animal Control, engaged in an activity or existing in a condition prohibited by this chapter may be taken and impounded at the Animal Control Center or at such other place as may be approved by the Director of Health. (Ord. 757, eff. 4/19/90. Formerly 8.08.330)

8.08.210 Impoundment of livestock.

Repealed by Ord. 767. 8.08.220 Period of impoundment.

- A. All impounded dogs found wearing a current dog license tag shall be kept in the Animal Control Center for a period of not less than five days unless redeemed within such period.
- B. All impounded dogs not wearing a current dog license tag shall be kept in the Animal Control Center for a period of not less than 72 hours unless redeemed within such period.
- C. Following the impoundment of any dog, the Chief of Animal Control shall notify the owner of any licensed dog or the owner of any unlicensed dog, if known, either personally or in writing, and personally or by telephone if reasonably possible, after which said dog will be otherwise disposed of as authorized by this chapter.
- D. Any impounded bovine animal shall be kept in the Animal Control Center for at least five days unless it is redeemed within such period.
- E. Any other animal impounded, except dogs and bovine animals, shall be kept in the Animal Control Center for at least five days unless it is redeemed within such period.
- F. Following the impoundment of any animal other than dogs, the Chief of Animal Control shall notify the owner, if known, in writing, or if the owner is not known, he may publish such notices and advertisements as he deems necessary for the return of such animal. Written notice to owners of licensed dogs shall be by certified mail and the animal control officer shall maintain a record of all mailings for a period of not less than one year.
- G. Any animal which is voluntarily surrendered to or deposited with the Animal Control Center or authorized personnel thereof by the owner shall not be deemed to be impounded and need not be kept or retained for any minimum period of time.
- H. Any cat impounded, other than under SCC 8.08.170, shall be cared for by the Chief of Animal Control for not less than three days after which such cat may be humanely destroyed or otherwise disposed of.
- I. Any impounded cat found wearing a tag adequately identifying the owner shall be held for a period of not less than five days unless redeemed within such period. (Ord. 836, eff. 3/21/96; Ord. 757, eff. 4/19/90. Formerly 8.08.350)

8.08.230 Redemption.

The owner of any animal impounded may, at any time before the disposition thereof, redeem the same by offering proof of ownership, and by redeeming all proper fees and charges accrued as provided for by this chapter; provided, however, that if the animal is one which is subject to a license herein, the licensing requirements must be satisfied before the animal's release, except that an impounded dog that has not been vaccinated against rabies (or exempted therefrom by an exemption certificate as provided in this chapter) may be released to an owner who has paid all fees required herein including the license fee, on condition that such owner shall:

- A. Have the dog vaccinated for rabies within 10 days; and
- B. Exhibit a valid certificate of vaccination to the Chief of Animal Control within 10 days, at which time the license will be issued. (Ord. 757, eff. 4/19/90. Formerly 8.08.360)

8.08.240 Disposition of impounded animals.

- A. Except as otherwise provided in this chapter, an impounded animal which is not redeemed within the applicable holding period specified in this chapter may, in the discretion of the Chief of Animal Control, be sold, destroyed, or otherwise disposed of.
- B. If an animal is sold, the receipt signed by the Chief of Animal Control shall be valid title to the purchaser.
 1. When any dog or cat is to be sold pursuant to this chapter, prior to the delivery of the animal, there shall be deposited by the purchaser with Animal Control a spaying or neutering deposit which shall be designated for the veterinarian of the purchaser's choice, for the partial payment of the spaying or neutering operation. The amount of the deposit shall be designated by the Chief of Animal Control. The purchaser shall be responsible for any additional costs of the spaying or neutering operation over and above the deposit. Upon receipt from the veterinarian that a spaying or neutering operation has been performed, the deposit will be forwarded to the veterinarian. In the event that the purchaser fails to have the animal spayed or neutered within the six-month period following its purchase, the spaying and neutering deposit will be forfeited and shall become the property of the county subject to inter-county-controlled obligation, if any.
 - a. Notwithstanding any other provisions of this chapter to the contrary, an impounded animal, which is determined by the Chief of Animal Control to be unfit and of no further use, dangerous, injured or ill, may be destroyed or otherwise disposed of as ordered by the Chief of Animal Control upon the concurrence of the Administrator of Health and Medical Services. (Ord. 757, eff. 4/19/90. Formerly 8.08.370)

8.08.250 Impound fees.

- A. An impound fee for every impounded animal and/or livestock shall be charged and collected when claimed and before released in an amount set forth in a resolution establishing such fees (“the animal control fee resolution”), a copy of which shall be maintained with this chapter.
- B. When extraordinary care or expense is incurred, the actual cost will be charged. In the case of animals other than dogs, this includes, but is not limited to, transportation, custody, boarding, and advertising expense.
- C. A redemption fee shall be charged and collected in an amount set forth in the animal control fee resolution.
- D. For taking into custody any dog, cat, or livestock at the request of the owner thereof, either at the animal shelter or the owner’s residence, a fee in an amount set forth in the animal control fee resolution shall be charged and collected.
1. In the case of animals other than dogs, when the Chief of Animal Control causes an animal at large to be returned to the property of the owner of the animal, a fee amounting to time, mileage, and extraordinary expense may be charged. (Ord. 757, eff. 4/19/90. Formerly 8.08.380)

8.08.260 Quarantine.

- A. The Chief of Animal Control shall ensure that all animals falling into the following categories shall be isolated or quarantined at the place and under the conditions prescribed by the Health Officer and pertinent state laws and regulations. If the place of quarantine designated by the Health Officer is the owner’s residence, then a fee in an amount set forth in the animal control fee resolution shall be charged and collected.
1. Known rabid animals;
 2. Suspected rabid animals;
 3. Animals that have bitten or otherwise exposed a human to rabies;
 4. Animals of a species subject to rabies which have been bitten by a known rabid or suspected rabid animal or have been in intimate contact with a rabid or suspected rabid animal.
- B. It shall be unlawful for the owner or keeper of an animal to violate any of the other conditions of isolation or quarantine prescribed by the Health Officer. (Ord. 757, eff. 4/19/90. Formerly 8.08.390)

8.08.270 Delivery of carcass.

Upon the death of any rabid animal, clinically suspected rabid animal, or animal which has bitten or otherwise exposed a human to rabies, the Chief of Animal Control shall obtain and turn over to the Health Officer the carcass of said animal or an adequate specimen thereof. (Ord. 757, eff. 4/19/90. Formerly 8.08.400)

8.08.280 Vaccination.

Every dog over four months of age shall have a medically current vaccination with a canine anti-rabies vaccine approved by the Health Department of the state of California. Such vaccination shall be administered by a veterinarian or as provided through county-recognized vaccination clinics.

Every person who owns or comes to own an unvaccinated dog shall have 10 days in which to comply with the provisions of this section.

Notwithstanding any provisions to the contrary herein, no dog need be vaccinated for rabies where:

- A. A licensed veterinarian has examined said dog and certified at such time that a vaccination would endanger the dog's health because of physiological reasons; and
- B. Such certificate is presented to the Health Officer within five days of such examination; and
- C. The Health Officer concurs in the opinion of the veterinarian, contained in such certificate, and endorses on such certificate his approval thereof. Such certificate must bear the date of issuance and must be renewed each year.

Every veterinarian, after vaccinating a dog for rabies, shall issue a certificate and furnish one copy of the certificate to the owner of the dog and one copy to the Chief of Animal Control. The certificate shall be in the form prescribed by the Chief of Animal Control. (Ord. 757, eff. 4/19/90. Formerly 8.08.410)

8.08.290 Licenses.

The dog licenses and kennel licenses required by this chapter shall be issued upon the payment of the fees herein fixed for a period of 12 months commencing upon the date of application and upon the showing of a valid certificate of rabies vaccination. Such dog licenses shall expire on the anniversary date of the rabies certificate, but in no case shall a dog license be valid past the expiration date of the rabies certificate.

- A. Every dog over four months of age shall be subject to an annual license fee in the amount set forth in the animal control fee resolution.

- B. Any person failing to procure a dog license prior to the expiration date of a previously issued dog license shall pay the amount set forth in the animal control fee resolution as a penalty for such failure.
- C. Any person failing to procure a dog license within 30 days after the dog becomes four months of age shall pay the amount as set forth in the animal control fee resolution as a penalty for such failure.
- D. Any person failing to procure a dog license within 30 days of bringing such dog into the county shall pay the amount as set forth in the animal control fee resolution as a penalty for such failure.
- E. The Chief of Animal Control shall procure and issue serial numbered license tags stamped with the name of the county. Such tags shall only be issued upon the application of owners who have complied with the vaccination and fee provisions of this chapter, and such license tag will be permanently issued for each dog and shall remain with that dog.
- F. Every dog shall be provided by the owner with a suitable collar or other device to which a dog license tag shall be attached.
- G. A fee shall not be levied for any dog license issued for an assistance dog or any dog owned by a senior citizen over the age of 65 years. As used in this chapter, "assistance dogs" are dogs specially trained as guide dogs, signal dogs, or service dogs as defined in Food and Agricultural Code Section [30850](#).
- The County Health Department as the administrator of the county dog licensing programs shall establish procedures for and shall issue separate identification tags for "assistance dogs." Any person making an application for an assistance dog identification tag shall execute an affidavit as required by subsection (B) of Section [30850](#) of the [Food and Agricultural Code](#). The assistance dog identification tags shall comply with the requirements of Food and Agricultural Code Section [30852](#).
- Upon the death or retirement of an assistance dog, the owner or person in possession of the assistance dog identification tag shall immediately return the tag to the Sierra County Animal Control-Licensing Department.
- The foregoing shall not exempt any animal from the requirement of maintaining a current rabies vaccination.
- H. In the event a license tag is lost from the body of any dog for which the same was issued, the owner shall, within 10 days thereafter, procure another and new license for such dog, for which he/she shall pay a fee as set forth in the animal control fee resolution. As often as any license is lost, the same shall be replaced in the same manner as hereinabove provided, within the same license year.
- I. The Chief of Animal Control may authorize veterinarians to sell dog licenses pursuant to this chapter. Such veterinarians shall be reimbursed the amount as set forth in the animal control fee resolution for each license sold.
- J. At the request of an owner and upon showing of a valid certificate of rabies vaccination, a license for a cat may be issued and an annual fee in an amount as set forth in the animal control fee resolution shall be charged and collected.

K. The Chief of Animal Control shall charge and collect an application and annual permit fee in addition to regular license fees for any vicious or dangerous animal as defined in SCC 8.08.170 in amounts as set forth in the animal control fee resolution.

L. Any person failing to procure a permit for a vicious or dangerous animal prior to the expiration date of a previously issued permit shall pay an amount as set forth in the animal control fee resolution as a penalty for such failure. (Ord. 938, eff. 1/2/03; Ord. 757, eff. 4/19/90. Formerly 8.08.420)

8.08.300 Renewal notices.

At least 30 days prior to the expiration date of a dog license or a kennel license, the Chief of Animal Control shall mail a renewal notice to the owner of a dog or the owner of a kennel. The foregoing notwithstanding, it shall be the duty and obligation of any owner to maintain current licensing on all dogs and all kennels and the failure to receive notice of renewal, for any reason, shall not constitute a defense or waiver of any provision of this chapter. (Ord. 757, eff. 4/19/90. Formerly 8.08.430)

8.08.310 Kenneled dogs.

Dogs kept in or at a kennel shall be subject to all the regulations and controls herein pertaining to nonkennel dogs except for the individual dog license requirements. (Ord. 757, eff. 4/19/90. Formerly 8.08.440)

8.08.320 Kennel licenses.

A. No person shall own a kennel without first applying to and receiving from the Chief of Animal Control an animal license to do so, if the zoning is proper.

The application for a license shall contain the name of the applicant, his address, the address of the proposed location of the kennel if different from the applicant's, a brief description of the housing facilities and the number and description of the dogs to be kept therein.

The fee for the issuance of a kennel license shall be due and payable by the owner on the first day of July of each year according to the fees set forth in the animal control fee resolution.

Any person failing to procure and pay for a kennel license or who fails to pay for a new kennel license prior to the expiration date of the previous license shall pay the amount as set forth in the animal control fee resolution as a penalty for such failure.

B. The Chief of Animal control shall procure and issue serial numbered license tags stamped with the name of the county. Such tags shall only be issued in the following numbers upon the application of kennel owners who have complied with the vaccination and fee provisions of this chapter.

Two tags for kennels with five to 10 dogs;

Four tags for kennels with 11 to 15 dogs;

Six tags for kennels with 16 or more dogs.

Any dog which is removed from the physical location of a kennel shall have a license tag attached to its collar at all times; additional tags can be obtained for the amount as set forth in the animal control fee resolution.

C. Upon receipt of an application for a kennel license by the Chief of Animal Control, the application shall be forwarded to the Building Inspection Section of the County Department of Public Works, the Public Health Department of the county, the Planning Department of the county, and designated employees of these departments shall ascertain whether or not the applicant's plan is in conformity with county law governing their respective department.

If the applicant's kennel is in conformity with the law governing said departments, departmental approval shall be indicated on the fact of the application. If the applicant's kennel is not in conformity with the law governing said departments, the face of the application shall be marked "NOT APPROVED" and the reason for nonapproval noted thereon, along with any revisions or changes in the applicant's kennel which, if made, would result in approval by the department in question.

Upon approval by said departments of an application for a license, the Chief of Animal Control shall make any investigation he deems proper. He shall approve an application if he finds all of the following:

1. Keeping the kennel at the location specified in the application will not violate any law or ordinance of this county or any law of the state of California.
2. Keeping and maintenance of the kennel will not endanger the peace, health, or safety of persons in the immediate vicinity, or in the county as a whole.
3. Premises and housing where the kennel is to be maintained are in a clean and sanitary condition, and any dog kept therein will not be subject to suffering, cruelty or abuse.
4. The applicant has not had a license provided for herein revoked within a year prior to the date of application.
5. Keeping and maintenance of the kennel does not constitute a public nuisance.

D. Any kennel license issued pursuant to this chapter may be revoked or suspended as herein provided if, after investigation, the Chief of Animal Control finds any of the following to be true:

1. The owner, his agent or employee has been convicted of any offense involving the violation of Cal. Penal Code § 597, or any provision of this chapter, or is in violation of the zoning, health and safety or building ordinances relating to the keeping of dogs; or
2. The owner has failed to keep and maintain the premises or housing for the kennel in a clean and sanitary condition; or
3. The owner has at the place for which the kennel license is issued failed to provide any dog with proper food, water, shelter, or attention; or
4. The owner has violated any rules, regulations, or conditions adopted by the Chief of Animal Control as necessary to insure that the kennel will not endanger the safety of any person or property. (Ord. 757, eff. 4/19/90. Formerly 8.08.450)

8.08.330 Damage to property – Cats.

No owner of a domestic cat shall permit or suffer the cat to damage property, public or private, real or personal, or to bite, scratch, or claw any human being or other animal that is on the property of another. (Ord. 757, eff. 4/19/90. Formerly 8.08.460)

8.08.340 Dead animal.

Dead animal, as used herein, shall mean the body of any dead horse, mule, cow, ox, bull, or other animal which weighs 50 pounds or more at the time of death. (Ord. 757, eff. 4/19/90. Formerly 8.08.470)

8.08.350 Unlawful disposal prohibited.

It shall be unlawful for any person owning or having under his control a dead animal to permit such dead animal to remain unburied for a period in excess of 24 hours. (Ord. 757, eff. 4/19/90. Formerly 8.08.480)

8.08.360 Exceptions.

This chapter shall not apply to any animal killed for purposes of consumption; provided, that the remains of such dead animal are processed in such a manner as to prevent such dead animal from spoiling. (Ord. 757, eff. 4/19/90. Formerly 8.08.490)

8.08.370 Cost of removal.

In addition to any other penalty herein, the county shall be entitled to dispose of any dead animal coming within the prohibitions of this chapter if such animal remains unburied for a period in excess of 24 hours. Such costs of removal and burial shall be a lien and charge against the owner and person in control of such animal immediately prior to its death. The county shall attempt to contact the owner of such dead animal prior to disposing of same. (Ord. 757, eff. 4/19/90. Formerly 8.08.500)

8.08.380 Responsibility of livestock owner.

Repealed by Ord. 767. 8.08.390 Status of violations.

The first and second violation of this chapter (other than SCC [8.08.160](#) or unless specifically provided in this chapter) shall constitute an infraction. If the owner or person in control of an animal, at the time of the issuance of any citation, has been convicted of a violation of this chapter or has pled no contest to such violations on two occasions within the previous 12 months regarding the same animal, or if there is a violation of SCC [8.08.170\(B\)](#), then the violation of this chapter may be charged as a misdemeanor. (Ord. 757, eff. 4/19/90. Formerly 8.08.520)

8.08.400 Penalty for violations.

The penalty for conviction of the first infraction (other than SCC [8.08.160](#)) based on a violation of this chapter shall be a fine of \$20.00. The penalty for conviction of the second infraction within 12 months regarding the same animal shall be up to \$100.00. The penalty for conviction of a misdemeanor based on this chapter shall be up to six months in jail and/or a fine of up to \$500.00. (Ord. 757, eff. 4/19/90. Formerly 8.08.530)

8.08.410 Damages.

Nothing in this chapter shall be deemed to change in any manner any other remedies for damages otherwise available to a landowner, livestock owner, or third parties. (Ord. 757, eff. 4/19/90. Formerly 8.08.550)

The Sierra County Code is current through Ordinance 1097, passed February 2, 2021.

Disclaimer: The clerk of the board's office has the official version of the Sierra County Code. Users should contact the clerk of the board's office for ordinances passed subsequent to the ordinance cited above.

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LOYALTON CITY COUNCIL, CITY OF LOYALTON, STATE OF CALIFORNIA

IN THE MATTER OF)
ANIMAL CONTROL)
_____)

ORDINANCE NO. 375

THE CITY COUNCIL OF THE CITY OF LOYALTON DOES ORDAIN AS FOLLOWS:

Ordinance Section one: Part 13, Chapter 13.04, Sections 010 through .620 of the City of Loyalton Code are hereby repealed in their entirety and Section 010 through .550 are added to read as follows:

CHAPTER 13.04 – ANIMALS

Sections:

- 13.04.010 Animal Control
- 13.04.020 Animal Control Center
- 13.04.030 At Large
- 13.04.040 Chief of Animal Control
- 13.04.050 Animal
- 13.04.060 County
- 13.04.070 Health Department
- 13.04.080 Health Officer
- 13.04.090 Impoundment
- 13.04.100 Kennel
- 13.04.110 Owner
- 13.04.120 Person
- 13.04.130 Vaccination
- 13.04.140 Veterinarian
- 13.04.150 Common Name
- 13.04.160 Jurisdiction
- 13.04.170 Absence of Liability
- 13.04.180 Responsibility
- 13.04.190 Dogs Killing Livestock
- 13.04.200 Rules and Regulations
- 13.04.210 Authority to Carry Firearms
- 13.04.220 Arrest Without Warrant: Citation Procedure
- 13.04.230 Authority to Use Tranquilizers
- 13.04.240 Authority to Enter Property
- 13.04.250 Authority to Pursue
- 13.04.260 Summary Action
- 13.04.270 Violations
- 13.04.280 Animals Causing Property Damage
- 13.04.290 Nuisance Dogs
- 13.04.300 Vicious or Danger Animals
- 13.04.310 Duty to Report Bit

13.04.320	Taking Up Stray Animals
13.04.330	Animals Subject to Impoundment
13.04.340	Impoundment of Livestock
13.04.350	Period of Impoundment
13.04.360	Redemption
13.04.370	Disposition of Impounded Animals
13.04.380	Impound Fees
13.04.390	Quarantine
13.04.400	Delivery of Carcass
13.04.410	Vaccination
13.04.420	Licenses
13.04.430	Renewal Notices
13.04.440	Kenneled Dogs
13.04.450	Kennel Licenses
13.04.460	Damage to Property
13.04.470	Dead Animal
13.04.480	Unlawful Disposal Prohibited
13.04.490	Exceptions
13.04.500	Cost of Removal
13.04.510	Responsibility of Livestock Owner
13.04.520	Status of Violations
13.04.530	Penalty for Violations
13.04.540	Severability
13.04.550	Damages

CHAPTER 13.04 ANIMALS

13.04.010 Animal Control

“Animal Control” means that section of the County government which is specifically charged with the regulation of, and the enforcement of law dealing with animals existing within the unincorporated territories of the County and incorporated areas thereof which may, from time to time, contract with the County for such services.

13.04.020 Animal Control Center

“Animal Control Center” means the facilities provided by the County for impounding of animals, either directly or on contract.

13.04.030 At Large

“At large” means an animal off the premises of its owner and not under restraint by leash, or not under the control and in the immediate presence of the owner. “At Large,” as applied to dogs, shall also mean any dog on any road or street, whether publicly or privately maintained, and not under restraint by leash, and not under the control and in the immediate presence of the owner.

A privately maintained road or street shall not include any such road or street service two or less residences or businesses. For animals other than dogs, it shall also mean any unattended animals not confined by adequate fence or restrained by a tether. An adequate fence is any fence which is good, strong, substantial, and sufficient to prevent the ingress and egress of the unattended animals. No wire fence is a good and substantial fence within the meaning of this article unless it has a minimum of four tightly stretched barbed wires securely fastened to posts of a reasonable strength, firmly set in the ground not more than one rod apart, one of which wires shall be at least four feet above the surface of the ground. Any kind of wire or other fence of height, strength and capacity equal to or greater than the wire fence herein described is a good and substantial fence within the meaning of this article. Further, any fence which is intended to restrict the ingress or egress of any particular animal which has the capacity to over, under, or through any fence in questions, is not a good and substantial fence unless its design and capacity is sufficient to prevent ingress and egress by the particular animal or animals in question.

13.04.040 Chief of Animal Control

“Chief of Animal Control” means the person designated by the County Director of Health to serve such capacity.

13.04.050 Animal

“Animal” means dogs or any domesticated animal of the canine family, as well as horses, donkeys, mules, burros, cattle, sheep, goats, swine, rabbits and fowl, commonly kept or raised in Sierra County as farm animals or beasts of burden.

13.04.060 County

“County” means, unless otherwise specified, the County of Sierra.

13.04.070 Health Department

“Health Department” means the Health Department of the County.

13.04.080 Health Officer

“Health Officer” means the Health Officer of the County and any Health Department employee of other person duly authorized the Health Officer to act on his/her behalf.

13.04.090 Impoundment

“Impoundment” means the taking up and confining of an animal under the authority of the Chief of Animal Control in a manner consistent with recognized standards of humane treatment.

13.04.110 Kennel

“Kennel” means any enclosure, premises, building, structure, lot or area in or on which five (5) or more dogs of at least four (4) months of age are kept, harbored or maintained, for commercial or noncommercial purposes.

13.04.110 Owner

“Owner” means a person who possesses, has title to or an interest in, harbors, or has control, custody or possession of an animal. The verb form of “to own” includes all these shades of meaning.

13.04.120 Person

“Person” means fictional entities such as corporations, estates, associations, partnerships and trusts, as well as one of more individual human beings.

13.04.130 Vaccination

“Vaccination” means the inoculation of a dog or other animal with a vaccine approved by and in the manner prescribed by the State Department of Public Health.

13.04.140 Veterinarian

“Veterinarian” means a person licensed by the State of California to practice veterinary medicine.

13.04.150 Common Name

This chapter shall be known as, and may be cited and referred to as the “Animal Control Law.”

13.04.160 Jurisdiction

Animal Control shall be under the direction and supervision of the Director of Health.

13.04.170 Absence of Liability

No liability shall be incurred for the disposition of any animal made pursuant to the provisions of this ordinance.

13.04.180 Responsibility

The Director of Health shall be responsible for administrating this Chapter and shall have the authority to appoint a Chief of Animal Control. If no such appointment is made, the Director of Health shall be the Chief of Animal Control. The Chief of Animal Control is responsible for:

- a. The enforcement of this law, and

- b. All laws of the State of California pertain to the control of dogs
- c. His duties shall include, but not be limited to the administration of any contract or contracts providing the following services or to administer the following services directly:
 - 1. To administer the Animal Control Center and keep such records as may be required by the Board of Supervisors.
 - 2. To take up and impound animals which are in violation of this chapter.
 - 3. To remove and dispose of the carcass of any animal found on any public highway, street, alley and other public place.
 - 4. To quarantine animals and to cooperate with the County Health Officer.
 - 5. To administer licensing programs as provided for herein.
 - 6. To administer rabies clinics.

13.04.190 Dogs Killing Livestock

The Chief of Animal Control, the Sheriff, or any Deputy Sheriff may kill or authorize the killing of any dog found in the act of killing, wounding, or persistently pursuing or worrying livestock or poultry on land or premises which are not owned or possessed by the owner of the dog.

13.04.200 Rules and Regulations

The Chief of Animal Control may formulate the rules and regulations in conformity with, and for the purposes of carrying out the intent of this chapter and compliance with such rules and regulations shall be prerequisite to the issuance and continued validity of any license or permit provided.

13.04.210 Authority to Carry Firearms

The Chief of Animal Control and such animal control officers as he may specifically designate in write are authorized to carry firearms when acting in the course and scope of their employment pursuant to Section 12031 of the Penal Code of the State of California.

13.04.220 Arrest Without Warrant: Citation Procedure

a. Any public officer or employee charged with the responsibility for enforcement of the provisions of this chapter may arrest a person with or without a warrant whenever he has reasonable cause to believe that the person to be arrested has committed a misdemeanor in his presence which is in violation of this chapter.

b. In any case in which a person arrested, pursuant to Subsection above, does not demand to be taken before a Magistrate, such public officer or employee making the arrest shall prepare a written Notice to Appear and release the person on his promise to appear, as prescribed by Chapter 5C (commencing with Section 853.6) of the Penal Code. The provision of such Chapter shall thereafter apply with reference to any proceeding based upon the issuance of a written notice to Appear pursuant to this authority.

13.04.230 Authority to Use Tranquilizers

In performance of his duties the Chief of Animal Control shall have the authority to employ the use of the tranquilizer gun and all animal control devices in common use within the State.

13.04.240 Authority to Enter Property

The Chief of Animal Control may, in the performance of his duties, enter upon any property pursuant to law to ascertain if any of the provision of this Ordinance are being violated.

13.04.250 Authority to Pursue

In the performance of his duties, the Chief of Animal Control shall have the authority, when in the pursuit of an animal which in in violation of a provision of this Chapter, to go on the property of the owner or that of a third person for the purpose of impounding the animal, provided that in the course of such pursuit he shall exercise reasonable care to avoid causing damage to the property.

13.04.260 Summary Action

Notwithstanding any other provision of this chapter, if, in the judgement of the Chief of Animal Control, with the concurrence of the Director of Health, an animal found to be at large is unfit, and no further use, dangerous, injured, or ill, or should be destroyed, the Chief of Animal Control may, at any time, in a humane manner, destroy such animal.

13.04.270 Violations

It shall be unlawful for the owner of any animal to violate any of the provision of this Chapter herein before or hereinafter, or to commit any of the following acts, to wit:

- a. To allow any animal to run at large.
- b. To allow any animal to trespass upon public property or upon any private property without the consent of the owner of the property.
- c. If unauthorized, to remove from any dog any collar or harness or other devise to which a license tag is attached, for the current year, or to remove such license tag therefrom.
- d. To attach to, or keep upon, or cause to permit to be attached to or kept upon any dog any license tag provided by this Chapter, except a tag issued for such dog under the provision of this Chapter, or to attach to or keep upon, or cause or permit to be attached to or kept upon any dog, or to make or to cause or permit to be made, or to have in possession, any counterfeit or imitation of any tag provided for by this Chapter.
- e. To possess any unlicensed dog in the County, or to maintain, conduct or operate, or to cause to or permit to be maintained or operated in the County, any unlicensed dog kennel.
- f. To interfere with, oppose or resist the Chief of Animal Control while he is engaged in the performance of any act authorized by this Chapter.

- g. To allow any female dog to run at large while in heat or breeding condition or to allow such female to remain accessible to other dogs running at large while said female is in heat or breeding condition.
- h. To permit any dog to trespass on any farm where livestock or domestic fowl are kept.
- i. To abandon any animal in Sierra County.
- j. To possess any dog over four (4) months of age which does not have a current vaccination for rabies as evidenced by an official certificate thereof, except as otherwise provided in this Ordinance.
- k. To allow any animal to go without adequate food, water, shelter, or proper care.
- l. To allow any dog known to be dangerous or vicious to run at large upon any street or other public place within the County.
- m. To own or possess any "Pit Bull" or "fighting dog" which is not confined within adequate fenced area or other physical enclosure to prevent egress by such animal at all times such animal is not in the direct presence and control of the owner.

13.04.280 Animals Causing Property Damage

If any person has any loss or damage to property, livestock or poultry, which is caused by animals, the person may file a complaint in writing with the Chief of Animal Control. Such complaint shall state when and where the damage occurred, how much damage was done, and, if known, the name of the person who owns the animal(s) or the custodian in charge. The Chief of Animal Control shall investigate the complaint and if he finds such conditions exist, he may issue an order to confirm requiring said owner or custodian to abate such conditions within a reasonable length of time. Failure of the owner or custodian to abate such condition shall constitute the maintenance of a Public Nuisance.

13.04.290 Nuisance Dogs

- a) It shall be unlawful for any person to own, possess, harbor, control, or keep on any premises any dog that barks or howls so continuously or incessantly as to unreasonably disturb the peace and tranquility of the neighborhood. However, the provision of this section shall not apply to any commercial dog kennel permitted by zoning law where located. The Animal Control Department is responsible for enforcement of the provisions of this section.
- b) For purposes of this section, evidence that the dog has barked or howled for an aggregate period of twenty (20) minutes out of one hour shall be sufficient for conviction, provided, however, that any barking or howling provided by a loose running dog or other animal, or nearby pedestrians shall not be included in such aggregate time. Provocation in the forms listed herein must occur within 100 feet of the barking or howling dog to be sufficient.
- c) For the purposes of this section, evidence that two or more dogs are provoking each other to bark, shall be sufficient for conviction under this section, so long as the barking continues for an aggregate twenty (20) minutes out of one hour, regardless of which dog commenced the barking. In such instance, owners of each dog involved shall be subject to citation. Proof that any individual dog barked for an aggregate twenty (20) minutes

- out of an hour shall not be required if it is shown that the barking of two or more of dogs was continuous sequentially or in concert for a twenty (20) minute period.
- d) Upon receipt of any complaint based on continuous or incessant barking or howling, an Animal Control Officer shall investigate and take a report from any complaining witness.
 - e) Upon evaluation of the report, if in the opinion of the animal control officer a valid complaint exists, the officer shall contact the owner of the animal complained about and advise the owner of the existence of the complaint, and instruct the owner to abate the nuisance.
 - f) If the Animal Control Officer is unable to contact the owner personally, he shall leave posted on the premises in a conspicuous location a notice to contact Animal Control within five (5) days regarding the complaint.
 - g) If a second complaint is received within a six (6) month period after the giving of such notice and warning regarding a dog barking or howling incessantly and continuously, whether or not the owner has responded to Animal Control as set forth in (f) above, the animal control officer shall investigate the second complaint and take a report from any complaining witness.
 - h) Upon evaluation of the report, if in the opinion of the animal control officer the dog is creating a nuisance by barking or howling incessantly or continuously, the animal control officer shall issue a citation to the owner of said animal for a violation of this section. Unless the violation is a third repeat offense as defined in Section 13.04.290 (j) below, such violation shall be an infraction. Personal appearance before the court shall be mandatory. Forfeiture of bail shall not constitute a resolution of a violation of this section.
 - i) If the animal control officer receives a third complaint regarding the same animal within one year from the first complaint, he shall repeat the process set forth in (g) and (h).
 - j) If the owner of the animal, at the time of the issuance of any citation, has been convicted of a violation on two occasions within the previous year regarding the same animal, the violation of this section may be charged as a misdemeanor.
 - k) If the animal control officer receives a complaint after one year or more has elapsed since the most recent prior complaint, the officer shall issue a warning and continue pursuant to Section (e) through (i).
 - l) The penalty for conviction of an infraction based on this section shall be a fine of up to One Hundred Dollars (\$100.00).
 - m) The penalty for conviction of a misdemeanor based on this section shall be up to six (6) months in jail and/or a fine of up to Five Hundred Dollars (\$500.00), and the owner shall be required to either remove the dog from the premises or have the dog surgically debarked.
 - n) Nothing in this section shall be construed to prevent any party from bringing a civil action to abate the nuisance.

13.04.300 Vicious or Dangerous Animals

- a) "Vicious or dangerous animal" shall mean any domesticated animal which shows a propensity to attack, bite, scratch, or harass people or other animals without provocation.

- b) The owner of any animal that has bitten or attacked any human being or has killed, attacked, or caused damage to any other animals, shall have the duty to take such reasonable steps as are necessary to prevent this animal from biting or attacking another human being or from killing, attacking, or causing damage to any other animal.
- c) The Chief of Animal Control, as to such vicious or dangerous animal, is empowered to:
 - 1. Notify the owner of such animal that such owner is required thereafter at all times to keep such animal in a secure enclosure or provide such other adequate secure restraints may be specified; or
 - 2. Notify the owner of such animal that reasonable cause exists, and a concise statement of reasons therefor, to believe that such animal will continue in the future to be a menace to the safety of human beings or to other animals and that a hearing will be conducted by the Board of Supervisors, or Hearing Officer selected by the Board, to determine whether such animal should be destroyed.
- d) Should a hearing be ordered for an animal pursuant to Section 13.04.300 (c) the animal shall be impounded at the discretion of the Chief of Animal Control until after the hearing occurs and a decision is rendered. The Chief of Animal Control may as an alternative, require the owner of the animal to post a cost bond in the amount up to Five Hundred Dollars (\$500.00) or other security acceptable to County Counsel, which cash bond or other security shall be forfeited in the event the animal is not delivered into the custody of the Chief of Animal Control if such is ordered after consideration of all the evidence at the hearing.
 - 1. Notification of such hearing shall be given by personal services of written notification on such owner not less than ten (10) calendar days prior to the hearing.
 - 2. Such hearing shall be held not longer than forty-five (45) days after the animal is taken into custody, or forty-five (45) days after the incident if the animal is not in custody.
 - 3. At such hearing, the owner shall have the right to testify, to be represented by counsel, to present witnesses on his own behalf, to cross-examine all other witnesses, and present oral and written documents and evidence on the issue.
 - 4. At the conclusion of the hearing, the Board or Hearing Officer may make such orders as are appropriate for the protection of the public, including, but no limited to, orders that the animal may be destroyed by the Chief of Animal Control at a specified date, time, and location.
- e) Failure to comply with any restraint order issued under Section 13.04.300 is a misdemeanor.

13.04.310 Duty to Report Bite

It is the duty of any person having knowledge that any animal capable of transmitting rabies has bitten a human being within Sierra County to immediately report the fact to the Health Department, the Chief of Animal Control, or the Sheriff and to furnish complete information thereof.

13.04.320 Taking Up Stray Animals

It is the duty of any person that takes up a stray animal to notify the Chief of Animal Control within forty-eight (48) hours of taking up the animal.

13.04.330 Animals Subject to Impoundment

Any animal which is, to the knowledge of the Chief of Animal Control, engaged in an activity, or existing in a condition prohibited by this Chapter may be taken and impounded at the Animal Control Center or at such other place as may be approved the Director of Health.

13.04.340 Impoundment of Livestock

In addition to the power vested in the Chief of Animal Control for the impoundment of any horse, mule, cow, goat, sheep, hog, or burro found running at large, any peace officer is hereby empowered to impound such animal and to turn such animal over the Chief of Animal Control for disposition under this Chapter.

13.04.350 Period of Impoundment

- a) All impounded dogs found wearing a current dog license tag shall be kept in the Animal Control Center for a period of not less than fourteen (14) days unless redeemed within such period.
- b) All impounded dogs not wearing a current dog license tag shall be kept in the Animal Control Center for a period of not less than seventy-two (72) hours unless redeemed within such period.
- c) Following the impoundment of any dog, the Chief of Animal Control shall notify the owner of any licensed dog or the owner of any unlicensed dog if known, either personally or in writing, and personally or by telephone if reasonably possible, after which said dog will otherwise be disposed of as authorized by this Chapter.
- d) Any impounded bovine animal shall be kept in the Animal Control Center for at least five (5) days unless it is redeemed within such period.
- e) Any other animal impounded, except dogs and bovine animals, shall be kept in the Animal Control Center for at least seven (7) days unless it is redeemed within such period.
- f) Following the impoundment of any animal other than dogs, the Chief of Animal Control shall notify the owner if known, in the writing or if the owner is not known, he may publish such notices and advertisements as he deems necessary for the return of such animals. Written notice to owners of licensed dogs shall be by certified mail and the Animal Control Officer shall maintain a record of all mailings for a period not less than one (1) year.
- g) Any animal which is voluntarily surrendered to or deposit with the Animal Control Center or Authorized personnel thereof by the owner shall not be deemed impounded and need not be kept for retained for any minimum period of time.
- h) Any cat impounded, other than under Section 8.08.300 shall be cared for by the Chief of Animal Control for not less than seven (7) days after which such cat may be humanely destroyed or otherwise disposed of.

13.04.360 Redemption

The owner of any animal impounded may, at any time before the disposition thereof, redeem the same by offering proof of ownership, and by redeeming all proper fees and charges accrued as provided for by this Chapter provided, however, that if the animal is one which is subject to a license herein, the licensing requirements must be satisfied before the animal's release, except that an impounded dog that has not been vaccinated against rabies (or exempted therefrom by an exemption certificate as provided in the Article) may be released to tan owner who has paid all fees required herein including the license fee, on condition that such owner shall:

- a. Have the dog vaccinated for rabies within ten (10) days; and
- b. Exhibit a valid certification of vaccination the Chief of Animal Control within ten (10) days, at which time the license will be issued.

13.04.370 Disposition of Impounded Animals

- a) Except as otherwise provided in this Ordinance, an impounded animal which is not redeemed within the applicable holding period specified in this Chapter may, in the discretion of the Chief of Animal Control, be sold, transferred, destroyed, or otherwise disposed of.
- b) If an animal is sold, the receipt signed by the Chief of Animal Control shall be valid title to the purchaser.
 - i. When any dog or cat is to be sold pursuant to this chapter, prior to the delivery of the animal, there shall be deposited by the purchaser with Animal Control, a spaying or neutering deposit which shall be designated for the veterinarian of the purchaser's choice, for the partial payment of the spaying or neutering operation. The amount of the deposit shall be designated by the Chief of Animal Control. The purchaser shall be responsible for any additional costs of the spaying or neutering operation over and above the deposit. Upon receipt from the veterinarian that the spaying or neutering operation has been performed, the deposit will be forwarded to the veterinarian. In the event that the purchaser fails to have the animal spayed or neutered within the six-month period following its purchase, the spaying and neutering deposit will be forfeited and shall become the property of the County subject to inter-County controlled obligation, if any.
- c) Notwithstanding any other provision of this Chapter to the contrary, an impounded animal which is determined by the Chief of Animal Control to be unfit and of no further use, dangerous, injured or ill, may be destroyed or otherwise disposed of as ordered by the Chief of Animal Control upon the concurrence of the Administrator of Health and Medical Services.

13.04.380 Impound Fees

- a) An impound fee for every impounded animal and/or livestock shall be charged and collected when claimed and before released in an amount set forth in a Resolution establishing such fees ("the Animal Control Fee Resolution"), a copy of which shall be maintained with this Chapter.

- b) When extraordinary care or expense is incurred, the actual cost will be charged. In the case of animals other than dogs, this includes, but is not limited to, transportation, custody, boarding, and advertising expense.
- c) A redemption fee shall be charged and collected in an amount set forth in the Animal Control Fee Resolution.
- d) For taking into custody any dog, cat, or livestock at the request of the owner thereof, either at the Animal Shelter or the owner's residence, a fee in the amount set forth in the Animal Control Fee Resolution shall be charged and collected.
- e) In the case of animals other than dogs, when the Chief of Animal Control causes an animal at large to be returned to the property of the owner of the animal, a fee amounting to time, mileage, and extraordinary expense may be charged.

13.04.390 Quarantine

- a) The Chief of Animal Control shall ensure that all animals falling into the following categories shall be isolated or quarantined at the place and under the conditions prescribed by the Health Officer and pertinent State laws and regulations. If the place of quarantine designated by the Health Officer is the owner's residence, then a fee in an amount set forth in the Animal Control Fee Resolution shall be charged and collected.
 - 1. Known rabid animals.
 - 2. Suspected rabid animals.
 - 3. Animals that have bitten or otherwise exposed a human to rabies.
 - 4. Animals of a species subject to rabies which have been bitten by a known rabid or suspected rabid animal or have been in intimate contact with a rabid or suspected rabid animal.
- b) It shall be unlawful for the owner or keeper of an animal to violate any of other conditions of isolation or quarantine prescribed by the Health Officer.

13.04.400 Delivery of Carcass

Upon the death of any rabid animal, clinically suspected rabid animal, or animal which has bitten or otherwise exposed a human to rabies, the Chief of Animal Control shall obtain and turn over to the Health Officer the carcass of said animal or an adequate specimen thereof.

13.04.410 Vaccination

Every dog over four (4) months of age shall have a medically current vaccination with a canine anti-rabies vaccine approved by the Health Department of the State of California. Such vaccination shall be administered by a veterinarian or as provided through county recognized vaccination clinics.

Every person who owns or comes to own an unvaccinated dog shall have ten (10) days in which to comply with the provisions of this section.

Notwithstanding any provision to the contrary herein, no dog need to be vaccinated for rabies where:

- a) A licensed veterinarian has examined said dog and certified at such time that vaccination would endanger the dog's health because of physiological reasons; and
- b) Such certificate is presented to the Health Officer within five (5) days of such examination; and
- c) The Health Officer concurs in the opinion of the veterinarian, contained in such certificate, and endorses on such certificate his approval thereof. Such certificate must bear the date of issuance and must be renewed each year.

Every veterinarian, after vaccinating a dog for rabies, shall issue a certificate and furnish one copy of the certificate to the owner of the dog and one copy to the Chief of Animal Control. The Certificate shall be in the form prescribed by the Chief of Animal Control.

13.04.420 Licenses

The dog licenses and kennel licenses required by this Chapter shall be issued upon the payment of the fees herein fixed for a period of twelve (12) months commencing upon the date of application and upon the showing of a valid certificate of rabies vaccination. Such dog licenses shall expire on the anniversary date of the rabies certificate, but in no case shall a dog license be valid past the expiration date of the rabies certificate.

- a) Every dog over four (4) months of age shall be subject to an annual license fee in the amount set forth in the Animal Control Fee Resolution.
- b) Any person failing to procure a dog licenses prior to the expiration date of a previously issued dog licenses shall pay the amount set forth in the Animal Control Fee Resolution as a penalty for such failure.
- c) Any person failing to procure a dog licenses with thirty (30) days after the dog becomes four (4) months of age shall pay the amount set forth in the Animal Control Fee Resolution as a penalty for such failure.
- d) Any person failing to procure a dog license within thirty (30) days of bringing such dog into the County shall pay the amount as set forth in the Animal Control Fee Resolution as a penalty for such failure.
- e) The Chief of Animal Control shall procure and issue serial numbered license tags stamped with the name of the County. Such tags shall on be issued upon the application of owners who have complied with the vaccination and fee provision of this Chapter, and such license tag will be permanently issued for each dog and shall remain with that dog.
- f) Every dog shall be provided by the owner with a suitable collar or other device to which a dog license tag shall be attached.
- g) A fee shall not be levied for any dog license issued for a see-eye dog owned by a blind or partially blind person, a dog used by any law enforcement personnel, or any dog owned by a senior citizen over the age of sixty-five (65) years. The forgoing shall not exempt any animal from the requirement of maintaining a current rabies vaccination.
- h) In the event a license tag is lost from the body of any dig for which the same was issued, the owner shall, within ten (10) days thereafter, procure another and new

license for such dog, for which he/she shall pay a fee as set forth in the Animal Control Fee Resolution. As often as any license is lost, the same shall be replaced in the same manner as hereinabove provided, within the same license year.

- i) The Chief of Animal Control may authorize veterinarians to sell dog licenses pursuant to this Chapter. Such veterinarians shall be reimbursed the amount as set forth in in the Animal Control Fee Resolution for each license sold.
- j) At the request of an owner and upon showing of a valid certificate of rabies vaccinations, a license for a cat my issued and an annual fee in the amount set forth in the Animal Control Fee Resolution shall be charged and collected.
- k) The Chief of Animal Control shall charge and collect an application and annual permit fee in addition to regular license fees for any vicious or dangerous animal as defined in Section 13.04.300 in amounts set forth in the Animal Control Fee Resolution.
- l) Any person failing to procure a permit for a vicious or dangerous animal prior to the expiration ate of a previously issued permit shall pay an amount as set forth in the Animal Control Fee Resolution as a penalty for such failure.

13.04.430 Renewal Notices

At least thirty (30) days prior to the expiration date of a dog license or kennel license, the Chief of Animal Control shall mail a renewal notice to the owner of a dog or the owner of a kennel. The foregoing notwithstanding, it shall be the duty and obligation of any owner to maintain current licensing on all dogs and all kennels and the failure to receive notice of renewal, for nay reason, shall not constitute a defense or waiver of any provision of this Chapter.

13.04.440 Kenneled Dogs

Dogs kept in or at a kennel shall be subject to all the regulations and controls herein pertaining to non-kennel dogs except for the individual dog license requirements.

13.04.450 Kennel Licenses

- a) No person shall own a kennel without first applying to and receiving from the Chief of Animal Control an animal license to do so, if the zoning is proper.

The application for a license shall contain the name of the applicant, his address, the address for the proposed location of the kennel if different from the applicant's, a brief description of the housing facilities and the number and description of the dogs to be kept therein.

The fee for the issuance of a kennel license shall be due and payable by the owner on the first day of July each year according to the fees set forth in the Animal Control Fee Resolution.

Any person failing to procure and pay for a kennel license or who fails to pay for a new kennel license prior to the expiration date of the previous license shall pay the amount as set forth in in the Animal Control Fee Resolution as penalty for such failure.

- b) The Chief of Animal Control shall procure and issue serial numbered license tags stamped with the name of the County. Such tags shall only be issued in the following numbers upon the application of kennel owners who have complied with the vaccination and fee provision of this Chapter.

Two (2) tags for kennels with five (5) to ten (10) dogs; Four (4) tags for kennels with eleven (11) to fifteen (15) dogs; Six (6) tags for kennels with sixteen(16) or more dogs.

Any dog which is removed from the physical location of kennel shall have a license tag attached to its collar at all times; additional tags can be obtained for the amount as set forth in the Animal Control Fee Resolution.

- c) Upon receipt of an application for a kennel license by the Chief of Animal Control, the application shall be forwarded to the Building Inspection Section of the County Department of Public Works, the Public health Department of the County, the Planning Department of the County, and designated employees of these departments shall ascertain whether or not the applicant's plan is in conformity with County law governing their respective department.

If the applicant's kennel is in conformity with the law governing said departments, departmental approval shall be indicated on the fact of the application. If the applicant's kennel is not in conformity with the law governing said departments, the face of the application shall be marked "NOT APPROVED" and the reason for the non-approval noted thereon, along with any revision or changes in the applicant's kennel which, if made, would result in approval by the department in question.

Upon approval by said department of an application for a license, the Chief of Animal Control shall make any investigation he deems proper. He shall approve an application if he finds all of the following:

- 1) Keeping the kennel at the location specified in the application will not violate any law or ordinance of this County or any law of the State of California.
- 2) Keeping and maintenance of the kennel will not endanger the peace, health, or safety of persons in the immediate vicinity, or in the County as a whole.
- 3) Premises and housing where the kennel is to be maintained are in a clean and sanitary condition, and any dog kept therein will not be subject to suffering, cruelty or abuse.
- 4) The applicant has not had a license provided for herein revoked within a year prior to the date of application.
- 5) Keeping and maintenance of the kennel does not constitute a public nuisance.

- d) Any kennel license issue pursuant to this Article may be revoked or suspended as herein provided if, after investigation, the Chief of Animal Control finds any of the following to be true:
- 1) The owner, his agent or employee has been convicted of any offense involving the violation of Section 597 of the Penal Code of the State of California, or any provision of this Chapter, or is in violation of the zoning, health and safety or building ordinances relating to the keeping of dogs; or
 - 2) The owner has failed to keep and maintain the premises or housing for the kennel in a clean and sanitary condition; or
 - 3) The owner has at the place for which the kennel license was issued, failed to provide any dog with proper food, water, shelter, or attention; or
 - 4) The owner has violated any rules, regulations, or conditions adopted by the Chief of Animal Control as necessary to insure that the kennel will not endanger the safety of any person or property.

13.04.460 Damage to Property – Cats

No owner of a domestic call shall permit or suffer the cate to damage property, public or private, real or personal, or to bite, scratch, or claw nay human being or other animal which is on the property of another.

13.04.470 Dead Animal

Dead animal, as used herein, shall mean the body of any dead horse, mule, cow, ox, bull, or other animal which wights fifty (50) pounds or more at the time of death.

13.04.480 Unlawful Disposal Prohibited

It shall be unlawful for any person owning or having under his control a deal animal to permit such dead animal to remain unburied for a period in excess of twenty-four (24) hours.

13.04.490 Exceptions

This Article shall not apply to any animal killed for purposes of consumption provided that the remains of such dead animal are processed in such a manner as to prevent such dead animal from spoiling.

13.04.500 Cost of Removal

In addition to any other penalty herein, the County shall be entitled to dispose of any dead animal coming within the prohibition of this Chapter if such animal remains unburied for a period in excess of twenty-four (24) hours. Such costs of removal and burial shall be a lien and charge against the owner and person in control of such animal immediately prior to its death. The County shall attempt to contact the owner of such dead animal prior to disposing of same.

13.04.510 Responsibility of Livestock Owner

If livestock cause or occasion damage by breaking through a lawful fence, the owner and person entitled to possession of the livestock shall be responsible for such damage. Nothing herein shall be construed to establish liability as to unfenced land.

13.04.520 Status of Violations

The first and second violation of this Chapter (other than Section 13.04.290 or unless specifically proved in this Chapter) shall constitute an infraction. If the owner or person in control of an animal, at the time of the issuance of any citation, has been convicted of a violation of this Chapter or has pled no contest to such violations on two occasions within the previous twelve (12) months regarding the same animal, or if there is a violation of 13.01.300(b) then the violation of the Chapter may be charged as a misdemeanor.

13.04.530 Penalty for Violations

The penalty for conviction of the first infraction (other than Section 13.04.530) based on a violation of this Chapter shall be fine of Twenty Dollars (\$20.00). The penalty for conviction of the second infraction within twelve (12) months regarding the same animal shall be up to One Hundred Dollars (\$100.00). The penalty for conviction of a misdemeanor based on this Chapter shall be up to six (6) months in jail and/or a fine of up to Five Hundred Dollars (\$500.00).

13.04.540 Severability

If any provision of Sections 13.04.010 – 13.04.530 is for any reason held to be invalid or unconstitutional by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of said Section. The Board of Supervisors declares that it would have added said Section and each provision thereof irrespective of the fact that any portion thereof be declared invalid or unconstitutional.

13.04.550 Damages

Nothing in Sections 13.04.010 – 13.04.530 shall be deemed to change in any manner any other remedies for damages otherwise available to a landowner, livestock owner, or third parties.

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PASSED AND ADOPTED this 12th day of April, 1990 by the City Council of the City of Loyalton, State of California, by the following vote:

AYES: K. Peterson, M. Moran, M. Hudson

NOES: None

ABSENT: M. Gottardi, E. Smith

ABSTAINED: None

Mayor

ATTEST:

City Clerk

LOYALTON CITY COUNCIL, CITY OF LOYALTON, STATE OF CALIFORNIA

IN THE MATTER OF)
ANIMAL CONTROL)
) ORDINANCE NO. 375

THE CITY COUNCIL OF THE CITY OF LOYALTON DOES ORDAIN AS FOLLOWS:

Ordinance Section one: Part 13, Chapter 13.04, Sections 010 through .620 of the City of Loyalton Code are hereby repealed in their entirety and Section 010 through .550 are added to read as follows:

CHAPTER 13.04 – ANIMALS

Sections:

- 13.04.010 Animal Control
- 13.04.020 Animal Control Center
- 13.04.030 At Large
- 13.04.040 Chief of Animal Control
- 13.04.050 Animal
- 13.04.060 County
- 13.04.070 Health Department
- 13.04.080 Health Officer
- 13.04.090 Impoundment
- 13.04.100 Kennel
- 13.04.110 Owner
- 13.04.120 Person
- 13.04.130 Vaccination
- 13.04.140 Veterinarian
- 13.04.150 Common Name
- 13.04.160 Jurisdiction
- 13.04.170 Absence of Liability
- 13.04.180 Responsibility
- 13.04.190 Dogs Killing Livestock
- 13.04.200 Rules and Regulations
- 13.04.210 Authority to Carry Firearms
- 13.04.220 Arrest Without Warrant: Citation Procedure
- 13.04.230 Authority to Use Tranquilizers
- 13.04.240 Authority to Enter Property
- 13.04.250 Authority to Pursue
- 13.04.260 Summary Action
- 13.04.270 Violations
- 13.04.280 Animals Causing Property Damage
- 13.04.290 Nuisance Dogs
- 13.04.300 Vicious or Danger Animals
- 13.04.310 Duty to Report Bit

13.04.320	Taking Up Stray Animals
13.04.330	Animals Subject to Impoundment
13.04.340	Impoundment of Livestock
13.04.350	Period of Impoundment
13.04.360	Redemption
13.04.370	Disposition of Impounded Animals
13.04.380	Impound Fees
13.04.390	Quarantine
13.04.400	Delivery of Carcass
13.04.410	Vaccination
13.04.420	Licenses
13.04.430	Renewal Notices
13.04.440	Kenneled Dogs
13.04.450	Kennel Licenses
13.04.460	Damage to Property
13.04.470	Dead Animal
13.04.480	Unlawful Disposal Prohibited
13.04.490	Exceptions
13.04.500	Cost of Removal
13.04.510	Responsibility of Livestock Owner
13.04.520	Status of Violations
13.04.530	Penalty for Violations
13.04.540	Severability
13.04.550	Damages

CHAPTER 13.04 ANIMALS

13.04.010 Animal Control

“Animal Control” means that section of the County-City of Loyalton government which is specifically charged with the regulation of, and the enforcement of law dealing with animals existing within the unincorporated territories of the County, known as the “City” of Loyalton and incorporated areas thereof which may, from time to time, contract with the County for such services.

13.04.020 Animal Control Center

“Animal Control Center” means the facilities provided by the County-City for impounding of animals, either directly or on contract.

13.04.030 At Large

“At large” means an animal off the premises of its owner and not under restraint by leash, or not under the control and in the immediate presence of the owner. “At Large,” as applied to dogs, shall also mean any dog on any road or street, whether publicly or privately maintained, and not

under restraint by leash, and not under the control and in the immediate presence of the owner. A privately maintained road or street shall not include any such road or street service two or less residences or businesses. For animals other than dogs, it shall also mean any unattended animals not confined by adequate fence or restrained by a tether. An adequate fence is any fence which is good, strong, substantial, and sufficient to prevent the ingress and egress of the unattended animals. No wire fence is a good and substantial fence within the meaning of this article unless it has a minimum of four tightly stretched barbed wires securely fastened to posts of a reasonable strength, firmly set in the ground not more than one rod apart, one of which wires shall be at least four feet above the surface of the ground. Any kind of wire or other fence of height, strength and capacity equal to or greater than the wire fence herein described is a good and substantial fence within the meaning of this article. Further, any fence which is intended to restrict the ingress or egress of any particular animal which has the capacity to over, under, or through any fence in question, is not a good and substantial fence unless its design and capacity is sufficient to prevent ingress and egress by the particular animal or animals in question.

13.04.040 Chief of Animal Control

“Chief of Animal Control” means the person designated by the County Director of Health to serve such capacity.

13.04.050 Animal

“Animal” means dogs or any domesticated animal of the canine family, as well as horses, donkeys, mules, burros, cattle, sheep, goats, swine, rabbits and fowl, commonly kept or raised in Sierra County as farm animals or beasts of burden.

13.04.060 County versus City

“County” means, unless otherwise specified, the County of Sierra. “City” means, unless otherwise specified, the incorporated City of Loyalton.

13.04.070 Health Department

“Health Department” means the Health Department of the County.

13.04.080 Health Officer

“Health Officer” means the Health Officer of the County and any Health Department employee or other person duly authorized the Health Officer to act on his/her behalf.

13.04.090 Impoundment

“Impoundment” means the taking up and confining of an animal under the authority of the Chief of Animal Control in a manner consistent with recognized standards of humane treatment.

13.04.110 Kennel

“Kennel” means any enclosure, premises, building, structure, lot or area in or on which five (5) or more dogs of at least four (4) months of age are kept, harbored or maintained, for commercial or noncommercial purposes.

13.04.110 Owner

“Owner” means a person who possesses, has title to or an interest in, harbors, or has control, custody or possession of an animal. The verb form of “to own” includes all these shades of meaning.

13.04.120 Person

“Person” means fictional entities such as corporations, estates, associations, partnerships and trusts, as well as one of more individual human beings.

13.04.130 Vaccination

“Vaccination” means the inoculation of a dog or other animal with a vaccine approved by and in the manner prescribed by the State Department of Public Health.

13.04.140 Veterinarian

“Veterinarian” means a person licensed by the State of California to practice veterinary medicine.

13.04.150 Common Name

This chapter shall be known as, and may be cited and referred to as the “Animal Control Law.”

13.04.160 Jurisdiction

Animal Control shall be under the direction and supervision of the Director of Health.

13.04.170 Absence of Liability

No liability shall be incurred for the disposition of any animal made pursuant to the provisions of this ordinance.

13.04.180 Responsibility

The Director of Health shall be responsible for administrating this Chapter and shall have the authority to appoint a Chief of Animal Control. If no such appointment is made, the Director of Health shall be the Chief of Animal Control. The Chief of Animal Control is responsible for:

- a. The enforcement of this law, and

- b. All laws of the State of California pertain to the control of dogs.
- c. His~~her~~ duties shall include, but not be limited to the administration of any contract or contracts providing the following services or to administer the following services directly:
 - 1. To administer the Animal Control Center and keep such records as may be required by the County Board of Supervisors or City of Loyalton Council Members.
 - 2. To take up and impound animals which are in violation of this chapter.
 - 3. To remove and dispose of the carcass of any animal found on any public highway, street, alley and other public place.
 - 4. To quarantine animals and to cooperate with the County Health Officer.
 - 5. To administer licensing programs as provided for herein.
 - 6. To administer rabies clinics.

13.04.190 Dogs Killing Livestock

The Chief of Animal Control, the Sheriff, or any Deputy Sheriff may kill or authorize the killing of any dog found in the act of killing, wounding, or persistently pursuing or worrying livestock or poultry on land or premises which are not owned or possessed by the owner of the dog.

13.04.200 Rules and Regulations

The Chief of Animal Control may formulate the rules and regulations in conformity with, and for the purposes of carrying out the intent of this chapter and compliance with such rules and regulations shall be prerequisite to the issuance and continued validity of any license or permit provided.

13.04.210 Authority to Carry Firearms

The Chief of Animal Control and such animal control officers as he~~she~~ may specifically designate in writing~~ing~~ are authorized to carry firearms when acting in the course and scope of their employment pursuant to Section 12031 of the Penal Code of the State of California.

13.04.220 Arrest Without Warrant: Citation Procedure

a. Any public officer or employee charged with the responsibility for enforcement of the provisions of this chapter may arrest a person with or without a warrant whenever he has reasonable cause to believe that the person to be arrested has committed a misdemeanor in his presence which is in violation of this chapter.

b. In any case in which a person arrested, pursuant to Subsection above, does not demand to be taken before a Magistrate, such public officer or employee making the arrest shall prepare a written Notice to Appear and release the person on his promise to appear, as prescribed by Chapter 5C (commencing with Section 853.6) of the Penal Code. The provision of such Chapter shall thereafter apply with reference to any proceeding based upon the issuance of a written notice to Appear pursuant to this authority.

13.04.230 Authority to Use Tranquilizers

In performance of his duties the Chief of Animal Control shall have the authority to employ the use of the tranquilizer gun and all animal control devices in common use within the State.

13.04.240 Authority to Enter Property

The Chief of Animal Control may, in the performance of his duties, enter upon any property pursuant to law to ascertain if any of the provision of this Ordinance are being violated.

13.04.250 Authority to Pursue

In the performance of his/her duties, the Chief of Animal Control shall have the authority, when in the pursuit of an animal which in violation of a provision of this Chapter, to go on the property of the owner or that of a third person for the purpose of impounding the animal, provided that in the course of such pursuit he shall exercise reasonable care to avoid causing damage to the property.

13.04.260 Summary Action

Notwithstanding any other provision of this chapter, if, in the judgement of the Chief of Animal Control, with the concurrence of the Director of Health, an animal found to be at large is unfit, and no further use, dangerous, injured, or ill, or should be destroyed, the Chief of Animal Control may, at any time, in a humane manner, destroy such animal.

13.04.270 Violations

It shall be unlawful for the owner of any animal to violate any of the provision of this Chapter herein before or hereinafter, or to commit any of the following acts, to wit:

- a. To allow any animal to run at large.
- b. To allow any animal to trespass upon public property or upon any private property without the consent of the owner of the property.
- c. If unauthorized, to remove from any dog any collar or harness or other devise to which a license tag is attached, for the current year, or to remove such license tag therefrom.
- d. To attach to, or keep upon, or cause to permit to be attached to or kept upon any dog any license tag provided by this Chapter, except a tag issued for such dog under the provision of this Chapter, or to attach to or keep upon, or cause or permit to be attached to or kept upon any dog, or to make or to cause or permit to be made, or to have in possession, any counterfeit or imitation of any tag provided for by this Chapter.
- e. To possess any unlicensed dog in the City-County, or to maintain, conduct or operate, or to cause to or permit to be maintained or operated in the CityCounty, any unlicensed dog kennel.
- f. To interfere with, oppose or resist the Chief of Animal Control while he is engaged in the performance of any act authorized by this Chapter.

- g. To allow any female dog to run at large while in heat or breeding condition or to allow such female to remain accessible to other dogs running at large while said female is in heat or breeding condition.
- h. To permit any dog to trespass on any farm where livestock or domestic fowl are kept.
- i. To abandon any animal in Sierra County including the City of Loyalton.
- j. To possess any dog over four (4) months of age which does not have a current vaccination for rabies as evidenced by an official certificate thereof, except as otherwise provided in this Ordinance.
- k. To allow any animal to go without adequate food, water, shelter, or proper care.
- l. To allow any dog known to be dangerous or vicious to run at large upon any street or other public place within the County.
- m. To own or possess any "Pit Bull" or "fighting dog" which is not confined within adequate fenced area or other physical enclosure to prevent egress by such animal at all times such animal is not in the direct presence and control of the owner.

13.04.280 Animals Causing Property Damage

If any person has any loss or damage to property, livestock or poultry, which is caused by animals, the person may file a complaint in writing with the Chief of Animal Control. Such complaint shall state when and where the damage occurred, how much damage was done, and, if known, the name of the person who owns the animal(s) or the custodian in charge. The Chief of Animal Control shall investigate the complaint and if he/she finds such conditions exist, he/she may issue an order to confirm requiring said owner or custodian to abate such conditions within a reasonable length of time. Failure of the owner or custodian to abate such condition shall constitute the maintenance of a Public Nuisance.

13.04.290 Nuisance Dogs

- a) It shall be unlawful for any person to own, possess, harbor, control, or keep on any premises any dog that barks or howls so continuously or incessantly as to unreasonably disturb the peace and tranquility of the neighborhood. However, the provision of this section shall not apply to any commercial dog kennel permitted by zoning law where located. The Animal Control Department is responsible for enforcement of the provisions of this section.
- b) For purposes of this section, evidence that the dog has barked or howled for an aggregate period of twenty (20) minutes out of one hour shall be sufficient for conviction, provided, however, that any barking or howling provided by a loose running dog or other animal, or nearby pedestrians shall not be included in such aggregate time. Provocation in the forms listed herein must occur within 100 feet of the barking or howling dog to be sufficient.
- c) For the purposes of this section, evidence that two or more dogs are provoking each other to bark, shall be sufficient for conviction under this section, so long as the barking continues for an aggregate twenty (20) minutes out of one hour, regardless of which dog commenced the barking. In such instance, owners of each dog involved shall be subject to citation. Proof that any individual dog barked for an aggregate twenty (20) minutes

out of an hour shall not be required if it is shown that the barking of two or more of dogs was continuous sequentially or in concert for a twenty (20) minute period.

- d) Upon receipt of any complaint based on continuous or incessant barking or howling, an Animal Control Officer shall investigate and take a report from any complaining witness.
- e) Upon evaluation of the report, if in the opinion of the animal control officer a valid complaint exists, the officer shall contact the owner of the animal complained about and advise the owner of the existence of the ~~complaint, and~~ complaint and instruct the owner to abate the nuisance.
- f) If the Animal Control Officer is unable to contact the owner personally, he shall leave posted on the premises in a conspicuous location a notice to contact Animal Control within five (5) days regarding the complaint.
- g) If a second complaint is received within a six (6) month period after the giving of such notice and warning regarding a dog barking or howling incessantly and continuously, whether or not the owner has responded to Animal Control as set forth in (f) above, the animal control officer shall investigate the second complaint and take a report from any complaining witness.
- h) Upon evaluation of the report, if in the opinion of the animal control officer the dog is creating a nuisance by barking or howling incessantly or continuously, the animal control officer shall issue a citation to the owner of said animal for a violation of this section. Unless the violation is a third repeat offense as defined in Section 13.04.290 (j) below, such violation shall be an infraction. Personal appearance before the court shall be mandatory. Forfeiture of bail shall not constitute a resolution of a violation of this section.
- i) If the animal control officer receives a third complaint regarding the same animal within one year from the first complaint, he shall repeat the process set forth in (g) and (h).
- j) If the owner of the animal, at the time of the issuance of any citation, has been convicted of a violation on two occasions within the previous year regarding the same animal, the violation of this section may be charged as a misdemeanor.
- k) If the animal control officer receives a complaint after one year or more has elapsed since the most recent prior complaint, the officer shall issue a warning and continue pursuant to Section (e) through (i).
- l) The penalty for conviction of an infraction based on this section shall be a fine of up to One Hundred Dollars (\$100.00).
- m) The penalty for conviction of a misdemeanor based on this section shall be up to six (6) months in jail and/or a fine of up to Five Hundred Dollars (\$500.00), and the owner shall be required to either remove the dog from the premises or have the dog surgically debarked.
- n) Nothing in this section shall be construed to prevent any party from bringing a civil action to abate the nuisance.

13.04.300 Vicious or Dangerous Animals

- a) "Vicious or dangerous animal" shall mean any domesticated animal which shows a propensity to attack, bite, scratch, or harass people or other animals without provocation.

- b) The owner of any animal that has bitten or attacked any human being or has killed, attached, or caused damage to any other animals, shall have the duty to take such reasonable steps as are necessary to prevent this animal from biting or attacking another human being or from killing, attacking, or causing damage to any other animal.
- c) The Chief of Animal Control, as to such vicious or dangerous animal, is empowered to:
1. Notify the owner of such animal that such owner is required thereafter at all times to keep such animal in a secure enclosure or provide such other adequate secure restraints may be specified; or
 2. Notify the owner of such animal that reasonable cause exists, and a concise statement of reasons therefor, to believe that such animal will continue tin the future to be a menace to the safety of human beings or to other animals and that a hearing will be conducted by the ~~Board of Supervisors~~ City of Loyalton Council Members, or Hearing Officer selected by the ~~Board~~ City Council, to determine whether such animal should be destroyed.
- d) Should a hearing be ordered for an animal pursuant to Section 13.04.300 (c) the animal shall be impounded at the discretion of the Chief of Animal Control until after the hearing occurs and a decision is rendered. The Chief of Animal Control may as an alternative, require the owner of the animal to post a cost bond in the amount up to Five Hundred Dollars (\$500.00) or other security acceptable to ~~County~~ City Counsel, which cash bond or other security shall be forfeited in the event the animal is not delivered into the custody of the Chief of Animal Control if such is ordered after consideration of all the evidence at the hearing.
1. Notification of such hearing shall be given by personal services of written notification on such owner not less than ten (10) calendar days prior to the hearing.
 2. Such hearing shall be held not longer than forty-five (45) days after the animal is taken into custody, or forty-five (45) days after the incident if the animal is not in custody.
 3. At such hearing, the owner shall have the right to testify, to be represented by counsel, to present witnesses on his own behalf, to cross-examine all other witnesses, and present oral and written documents and evidence on the issue.
 4. At the conclusion of the hearing, the ~~Board~~ City Council or Hearing Officer may make such orders as are appropriate for the protection of the public, including, but no limited to, orders that the animal may be destroyed by the Chief of Animal Control at a specified date, time, and location.
- e) Failure to comply with any restraint order issued under Section 13.04.300 is a misdemeanor.

13.04.310 Duty to Report Bite

It is the duty of any person having knowledge that ~~any~~ animal capable of transmitting rabies has bitten a human being within Sierra County to immediately report the fact to the County Health Department, the Chief of Animal Control, or the Sheriff and to furnish complete information thereof.

13.04.320 Taking Up Stray Animals

It is the duty of any person that takes up a stray animal to notify the Chief of Animal Control within forty-eight (48) hours of taking up the animal.

13.04.330 Animals Subject to Impoundment

Any animal which is, to the knowledge of the Chief of Animal Control, engaged in an activity, or existing in a condition prohibited by this Chapter may be taken and impounded at the Animal Control Center or at such other place as may be approved the Director of Health.

13.04.340 Impoundment of Livestock

In addition to the power vested in the Chief of Animal Control for the impoundment of any horse, mule, cow, goat, sheep, hog, or burro found running at large, any peace officer is hereby empowered to impound such animal and to turn such animal over the Chief of Animal Control for disposition under this Chapter.

13.04.350 Period of Impoundment

- a) All impounded dogs found wearing a current dog license tag shall be kept in the Animal Control Center for a period of not less than fourteen (14) days unless redeemed within such period.
- b) All impounded dogs not wearing a current dog license tag shall be kept in the Animal Control Center for a period of not less than seventy-two (72) hours unless redeemed within such period.
- c) Following the impoundment of any dog, the Chief of Animal Control shall notify the owner of any licensed dog or the owner of any unlicensed dog if known, either personally or in writing, and personally or by telephone if reasonably possible, after which said dog will otherwise be disposed of as authorized by this Chapter.
- d) Any impounded bovine animal shall be kept in the Animal Control Center for at least five (5) days unless it is redeemed within such period.
- e) Any other animal impounded, except dogs and bovine animals, shall be kept in the Animal Control Center for at least seven (7) days unless it is redeemed within such period.
- f) Following the impoundment of any animal other than dogs, the Chief of Animal Control shall notify the owner if known, in the writing or if the owner is not known, he/she may publish such notices and advertisements as he deems necessary for the return of such animals. Written notice to owners of licensed dogs shall be by certified mail and the Animal Control Officer shall maintain a record of all mailings for a period not less than one (1) year.
- g) Any animal which is voluntarily surrendered to or deposited with the Animal Control Center or Authorized personnel thereof by the owner shall not be deemed impounded and need not be kept for retained for any minimum period of time.

- h) Any cat impounded, other than under Section 8.08.300 shall be cared for by the Chief of Animal Control for not less than seven (7) days after which such cat may be humanely destroyed or otherwise disposed of.

13.04.360 Redemption

The owner of any animal impounded may, at any time before the disposition thereof, redeem the same by offering proof of ownership, and by redeeming all proper fees and charges accrued as provided for by this Chapter provided, however, that if the animal is one which is subject to a license herein, the licensing requirements must be satisfied before the animal's release, except that an impounded dog that has not been vaccinated against rabies (or exempted therefrom by an exemption certificate as provided in the Article) may be released to an owner who has paid all fees required herein including the license fee, on condition that such owner shall:

- a) Have the dog vaccinated for rabies within ten (10) days; and
- b) Exhibit a valid certification of vaccination the Chief of Animal Control within ten (10) days, at which time the license will be issued.

13.04.370 Disposition of Impounded Animals

- a) Except as otherwise provided in this Ordinance, an impounded animal which is not redeemed within the applicable holding period specified in this Chapter may, in the discretion of the Chief of Animal Control, be sold, transferred, destroyed, or otherwise disposed of.
- b) If an animal is sold, the receipt signed by the Chief of Animal Control shall be valid title to the purchaser.
 - i. When any dog or cat is to be sold pursuant to this chapter, prior to the delivery of the animal, there shall be deposited by the purchaser with Animal Control, a spaying or neutering deposit which shall be designated for the veterinarian of the purchaser's choice, for the partial payment of the spaying or neutering operation. The amount of the deposit shall be designated by the Chief of Animal Control. The purchaser shall be responsible for any additional costs of the spaying or neutering operation over and above the deposit. Upon receipt from the veterinarian that the spaying or neutering operation has been performed, the deposit will be forwarded to the veterinarian. In the event that the purchaser fails to have the animal spayed or neutered within the six-month period following its purchase, the spaying and neutering deposit will be forfeited and shall become the property of the County subject to inter-County controlled obligation, if any.
- c) Notwithstanding any other provision of this Chapter to the contrary, an impounded animal which is determined by the Chief of Animal Control to be unfit and of no further use, dangerous, injured or ill, may be destroyed or otherwise disposed of as ordered by the Chief of Animal Control upon the concurrence of the Administrator of Health and Medical Services.

13.04.380 Impound Fees

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- a) An impound fee for every impounded animal and/or livestock shall be charged and collected when claimed and before released in an amount set forth in a Resolution establishing such fees ("the Animal Control Fee Resolution"), a copy of which shall be maintained with this Chapter.
- b) When extraordinary care or expense is incurred, the actual cost will be charged. In the case of animals other than dogs, this includes, but is not limited to, transportation, custody, boarding, and advertising expense.
- c) A redemption fee shall be charged and collected in an amount set forth in the Animal Control Fee Resolution.
- d) For taking into custody any dog, cat, or livestock at the request of the owner thereof, either at the Animal Shelter or the owner's residence, a fee in the amount set forth in the Animal Control Fee Resolution shall be charged and collected.
- e) In the case of animals other than dogs, when the Chief of Animal Control causes an animal at large to be returned to the property of the owner of the animal, a fee amounting to time, mileage, and extraordinary expense may be charged.

13.04.390 Quarantine

- a) The Chief of Animal Control shall ensure that all animals falling into the following categories shall be isolated or quarantined at the place and under the conditions prescribed by the Health Officer and pertinent State laws and regulations. If the place of quarantine designated by the Health Officer is the owner's residence, then a fee in an amount set forth in the Animal Control Fee Resolution shall be charged and collected.
 1. Known rabid animals.
 2. Suspected rabid animals.
 3. Animals that have bitten or otherwise exposed a human to rabies.
 4. Animals of a species subject to rabies which have been bitten by a known rabid or suspected rabid animal or have been in intimate contact with a rabid or suspected rabid animal.
- b) It shall be unlawful for the owner or keeper of an animal to violate any of other conditions of isolation or quarantine prescribed by the Health Officer.

13.04.400 Delivery of Carcass

Upon the death of any rabid animal, clinically suspected rabid animal, or animal which has bitten or otherwise exposed a human to rabies, the Chief of Animal Control shall obtain and turn over to the Health Officer the carcass of said animal or an adequate specimen thereof.

13.04.410 Vaccination

Every dog over four (4) months of age shall have a medically current vaccination with a canine anti-rabies vaccine approved by the Health Department of the State of California. Such vaccination shall be administered by a veterinarian or as provided through county recognized vaccination clinics.

Every person who owns or comes to own an unvaccinated dog shall have ten (10) days in which to comply with the provisions of this section.

Notwithstanding any provision to the contrary herein, no dog need to be vaccinated for rabies where:

- a) A licensed veterinarian has examined said dog and certified at such time that vaccination would endanger the dog's health because of physiological reasons; and
- b) Such certificate is presented to the Health Officer within five (5) days of such examination; and
- c) The Health Officer concurs in the opinion of the veterinarian, contained in such certificate, and endorses on such certificate his approval thereof. Such certificate must bear the date of issuance and must be renewed each year.

Every veterinarian, after vaccinating a dog for rabies, shall issue a certificate and furnish one copy of the certificate to the owner of the dog and one copy to the Chief of Animal Control. The Certificate shall be in the form prescribed by the Chief of Animal Control.

13.04.420 Licenses

The dog licenses and kennel licenses required by this Chapter shall be issued upon the payment of the fees herein fixed for a period of twelve (12) months commencing upon the date of application and upon the showing of a valid certificate of rabies vaccination. Such dog licenses shall expire on the anniversary date of the rabies certificate, but in no case shall a dog license be valid past the expiration date of the rabies certificate.

- a) Every dog over four (4) months of age shall be subject to an annual license fee in the amount set forth in the Animal Control Fee Resolution.
- b) Any person failing to procure a dog licenses prior to the expiration date of a previously issued dog licenses shall pay the amount set forth in the Animal Control Fee Resolution as a penalty for such failure.
- c) Any person failing to procure a dog licenses with thirty (30) days after the dog becomes four (4) months of age shall pay the amount set forth in the Animal Control Fee Resolution as a penalty for such failure.
- d) Any person failing to procure a dog license within thirty (30) days of bringing such dog into the County shall pay the amount as set forth in the Animal Control Fee Resolution as a penalty for such failure.
- e) The Chief of Animal Control shall procure and issue serial numbered license tags stamped with the name of the County. Such tags shall on be issued upon the application of owners who have complied with the vaccination and fee provision of this Chapter, and such license tag will be permanently issued for each dog and shall remain with that dog.
- f) Every dog shall be provided by the owner with a suitable collar or other device to which a dog license tag shall be attached.
- g) A fee shall not be levied for any dog license issued for a see-eye dog owned by a blind or partially blind person, a dog used by any law enforcement personnel, or any dog owned by a senior citizen over the age of sixty-five (65) years. The forgoing shall not exempt any animal from the requirement of maintaining a current rabies vaccination.

Comment [SJ1]: All licensing and the annual rabies clinics are conducted by the County Public Health Department. The City does not provide this service and does not retain any fees generated from licensing from within the City boundaries.

- h) In the event a license tag is lost from the body of any dog for which the same was issued, the owner shall, within ten (10) days thereafter, procure another and new license for such dog, for which he/she shall pay a fee as set forth in the Animal Control Fee Resolution. As often as any license is lost, the same shall be replaced in the same manner as hereinabove provided, within the same license year.
- i) The Chief of Animal Control may authorize veterinarians to sell dog licenses pursuant to this Chapter. Such veterinarians shall be reimbursed the amount as set forth in in the Animal Control Fee Resolution for each license sold.
- j) At the request of an owner and upon showing of a valid certificate of rabies vaccinations, a license for a cat may issued and an annual fee in the amount set forth in the Animal Control Fee Resolution shall be charged and collected.
- k) The Chief of Animal Control shall charge and collect an application and annual permit fee in addition to regular license fees for any vicious or dangerous animal as defined in Section 13.04.300 in amounts set forth in the Animal Control Fee Resolution.
- l) Any person failing to procure a permit for a vicious or dangerous animal prior to the expiration ate of a previously issued permit shall pay an amount as set forth in the Animal Control Fee Resolution as a penalty for such failure.

13.04.430 Renewal Notices

At least thirty (30) days prior to the expiration date of a dog license or kennel license, the Chief of Animal Control shall mail a renewal notice to the owner of a dog or the owner of a kennel. The foregoing notwithstanding, it shall be the duty and obligation of any owner to maintain current licensing on all dogs and all kennels and the failure to receive notice of renewal, for any reason, shall not constitute a defense or waiver of any provision of this Chapter.

13.04.440 Kenneled Dogs

Dogs kept in or at a kennel shall be subject to all the regulations and controls herein pertaining to non-kennel dogs except for the individual dog license requirements.

13.04.450 Kennel Licenses

- a) No person shall own a kennel without first applying to and receiving from the Chief of Animal Control an animal license to do so, if the zoning is proper.

The application for a license shall contain the name of the applicant, his address, the address for the proposed location of the kennel if different from the applicant's, a brief description of the housing facilities and the number and description of the dogs to be kept therein.

The fee for the issuance of a kennel license shall be due and payable by the owner on the first day of July each year according to the fees set forth in the Animal Control Fee Resolution.

Any person failing to procure and pay for a kennel license or who fails to pay for a new kennel license prior to the expiration date of the previous license shall pay the amount as set forth in in the Animal Control Fee Resolution as penalty for such failure.

- b) The Chief of Animal Control shall procure and issue serial numbered license tags stamped with the name of the County. Such tags shall only be issued in the following numbers upon the application of kennel owners who have complied with the vaccination and fee provision of this Chapter.

Two (2) tags for kennels with five (5) to ten (10) dogs; Four (4) tags for kennels with eleven (11) to fifteen (15) dogs; Six (6) tags for kennels with sixteen(16) or more dogs.

Any dog which is removed from the physical location of kennel shall have a license tag attached to its collar at all times; additional tags can be obtained for the amount as set forth in the Animal Control Fee Resolution.

- c) Upon receipt of an application for a kennel license by the Chief of Animal Control, the application shall be forwarded to the Building Inspection Section of the County Department of Public Works, the Public health Department of the County, the Planning Department of the County, and designated employees of these departments shall ascertain whether or not the applicant's plan is in conformity with County law governing their respective department.

If the applicant's kennel is in conformity with the law governing said departments, departmental approval shall be indicated on the fact of the application. If the applicant's kennel is not in conformity with the law governing said departments, the face of the application shall be marked "NOT APPROVED" and the reason for the non-approval noted thereon, along with any revision or changes in the applicant's kennel which, if made, would result in approval by the department in question.

Upon approval by said department of an application for a license, the Chief of Animal Control shall make any investigation he deems proper. He shall approve an application if he finds all of the following:

- 1) Keeping the kennel at the location specified in the application will not violate any law or ordinance of this County or any law of the State of California.
- 2) Keeping and maintenance of the kennel will not endanger the peace, health, or safety of persons in the immediate vicinity, or in the County as a whole.
- 3) Premises and housing where the kennel is to be maintained are in a clean and sanitary condition, and any dog kept therein will not be subject to suffering, cruelty or abuse.
- 4) The applicant has not had a license provided for herein revoked within a year prior to the date of application.
- 5) Keeping and maintenance of the kennel does not constitute a public nuisance.

- d) Any kennel license issue pursuant to this Article may be revoked or suspended as herein provided if, after investigation, the Chief of Animal Control finds any of the following to be true:
- 1) The owner, his agent or employee has been convicted of any offense involving the violation of Section 597 of the Penal Code of the State of California, or any provision of this Chapter, or is in violation of the zoning, health and safety or building ordinances relating to the keeping of dogs; or
 - 2) The owner has failed to keep and maintain the premises or housing for the kennel in a clean and sanitary condition; or
 - 3) The owner has at the place for which the kennel license was issued, failed to provide any dog with proper food, water, shelter, or attention; or
 - 4) The owner has violated any rules, regulations, or conditions adopted by the Chief of Animal Control as necessary to insure that the kennel will not endanger the safety of any person or property.

13.04.460 Damage to Property – Cats

No owner of a domestic call shall permit or suffer the cate to damage property, public or private, real or personal, or to bite, scratch, or claw nay human being or other animal which is on the property of another.

13.04.470 Dead Animal

Dead animal, as used herein, shall mean the body of any dead horse, mule, cow, ox, bull, or other animal which wights fifty (50) pounds or more at the time of death.

13.04.480 Unlawful Disposal Prohibited

It shall be unlawful for any person owning or having under his control a deal animal to permit such dead animal to remain unburied for a period in excess of twenty-four (24) hours.

13.04.490 Exceptions

This Article shall not apply to any animal killed for purposes of consumption provided that the remains of such dead animal are processed in such a manner as to prevent such dead animal from spoiling.

13.04.500 Cost of Removal

In addition to any other penalty herein, the County shall be entitled to dispose of any dead animal coming within the prohibition of this Chapter if such animal remains unburied for a period in excess of twenty-four (24) hours. Such costs of removal and burial shall be a lien and charge against the owner and person in control of such animal immediately prior to its death. The County shall attempt to contact the owner of such dead animal prior to disposing of same.

13.04.510 Responsibility of Livestock Owner

If livestock cause or occasion damage by breaking through a lawful fence, the owner and person entitled to possession of the livestock shall be responsible for such damage. Nothing herein shall be construed to establish liability as to unfenced land.

13.04.520 Status of Violations

The first and second violation of this Chapter (other than Section 13.04.290 or unless specifically proved in this Chapter) shall constitute an infraction. If the owner or person in control of an animal, at the time of the issuance of any citation, has been convicted of a violation of this Chapter or has pled no contest to such violations on two occasions within the previous twelve (12) months regarding the same animal, or if there is a violation of 13.01.300(b) then the violation of the Chapter may be charged as a misdemeanor.

13.04.530 Penalty for Violations

The penalty for conviction of the first infraction (other than Section 13.04.530) based on a violation of this Chapter shall be fine of Twenty Dollars (\$20.00). The penalty for conviction of the second infraction within twelve (12) months regarding the same animal shall be up to One Hundred Dollars (\$100.00). The penalty for conviction of a misdemeanor based on this Chapter shall be up to six (6) months in jail and/or a fine of up to Five Hundred Dollars (\$500.00).

13.04.540 Severability

If any provision of Sections 13.04.010 – 13.04.530 is for any reason held to be invalid or unconstitutional by the decision of any Court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of said Section. The Board of Supervisors declares that it would have added said Section and each provision thereof irrespective of the fact that any portion thereof be declared invalid or unconstitutional.

13.04.550 Damages

Nothing in Sections 13.04.010 – 13.04.530 shall be deemed to change in any manner any other remedies for damages otherwise available to a landowner, livestock owner, or third parties.

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PASSED AND ADOPTED this 12th day of April, 1990 by the City Council of the City of Loyalton, State of California, by the following vote:

AYES: K. Peterson, M. Moran, M. Hudson

NOES: None

ABSENT: M. Gottardi, E. Smith

ABSTAINED: None

Mayor

ATTEST:

City Clerk

Commitment to Order and Decorum

In order to ensure productive and efficient City Council Meetings and to foster a professional work environment, the City Council of Loyalton, CA agree to the following:

1. We all agree that Brown Act rules will be followed. There will be no serial meetings and no meetings discussing City business between more than 2 Council Members that are not properly agendized. All City business emails must cc the Clerk. City Council members will not conduct serial meetings via email, group messaging, texting, or conference calls. If an electronic update needs to go out to all City Council members it will be sent from the Clerk blind copying the Council Members. This ensures that all Council Members can receive the update but can only communicate back to the Clerk through that email chain. Examples are: Updates that all Council Members should have in a timely manner, surveys for availability, or communication from our Attorneys.
2. We all agree to act in a mature and professional manner to each other and to our staff. Disagreements can be constructive but destructive argumentative behaviors are not.
3. In order to be more fiscally responsible we all agree to limit individual contact to our Attorneys. Topics that require input from any City attorney should first be submitted to our City Clerk, it may have been a topic that has already been provided information on, or it may be more efficient to contact him when we have more than one question to pose. The best practice will be for two Council Members to contact the attorney together. Any response from our attorneys must also be communicated with our City Clerk either by cc'ing the Clerk through email or immediately providing the clerk a verbal update after the call.
4. Monthly agendas will be built by the Mayor with input from Council Members. All non routine topics that we would like added to the agenda should be submitted to the City Clerk or the Mayor within 1 week of the regular meeting date. The City Clerk and the Mayor will meet each month to approve the agenda and construct the meeting packet. Council Members that would like topics added to the agenda should present them with information or attachments that can be added to the packet. This ensures we have the appropriate documentation to ensure an education discussion about the topic. We will refrain, or limit as much as possible, action items that do not have accompanying documentation.

I, _____, agree to abide by the above stated rules. At any time in the future I feel these rules should be amended or added to I will request a review to be added to the next City Council Meeting.

Signature

Date

CITY COUNCIL BOARD MEMBERS

2021

Sarah Jackson	Mayor P.O. Box 1063, Loyalton, CA 96118	530-249-9343
Nancy Rogers	Vice-Mayor P.O. Box 703, Loyalton, CA 96118	925-408-3645
Darlene Riede	Council Member P.O. Box 488, Loyalton, CA 96118	530-993-4541
Joy Markum	Council Member P.O. Box 261, Loyalton, CA 96118	530-993-4102
Jerry Gerow	Council Member P.O. Box 827, Loyalton, CA 96118	775-343-8955
Kathy LeBlanc	City Clerk P.O. Box 128, Loyalton Ca. 96118	530-993-6750

BOARDS

LAFCO – Nancy Rogers, Joy Markum, Darlene Riede–Alternate

LTC – Nancy Rogers, Darlene Riede, Joy Markum

SCORE – Kathy LeBlanc, Nancy Rogers – Alternate

COMMITTEES

Finance – Sarah Jackson, Joy Markum

Public Works – Nancy Rogers, Darlene Riede

Personnel – Joy Markum, Darlene Riede

SVGWMD- Joy Markum