

RELETTERS  
6.08.010 "G" TO  
6.08.010 "F"

AN ORDINANCE RESCINDING  
SUBSECTION "F" OF SECTION 6.08.010;  
RESCINDING AND REPLACING  
SECTION 6.08.060;  
SUBSECTIONS 6.08.110A, B AND E;  
SECTIONS 6.08.150 AND 6.08.260;  
SUBSECTIONS 6.08.300.30, 6.08.300.40 AND 6.08.300.60  
OF CHAPTER 6.08 ENTITLED  
"ANIMAL CONTROL" OF THE MARIPOSA COUNTY CODE

The Board of Supervisors of Mariposa County, a political subdivision of the State of California, does ordain as follows:

Section I: Subsection "F" of Section 6.08.010 entitled "Definitions" which defines the word "vicious" shall be rescinded in its entirety.

Section II: A lost dog license must be replaced, therefore section 6.08.060 shall be rescinded and replaced to read in its entirety as follows:

"6.08.060 License--Duplicate. The owner of a dog whose tag has been lost must replace the tag. The county health department will issue a duplicate license for a fee, set by resolution of the board of supervisors, upon proper identification and proof of loss."

Section III: The impound fee shall be changed from \$15.00 to \$30.00, therefore, Subsections 6.08.110A and 608.110B of Section 6.08.110 entitled "Impoundment--Disposition of animals", shall be rescinded and replaced to read in their entirety as follows:

"A. Unlicensed, nonexempt dogs and other domestic animals will be kept for at least five days (120 hours), cats will be kept for three days (72 hours). Thereafter, they may be given to any person who will comply with this chapter or they will be destroyed in a humane manner. Persons taking unclaimed or stray animals from the control of the animal control officer shall pay to the county a fee in an amount of thirty dollars (\$30.00), plus reasonable charges for licensing, rabies, inoculations and/or impoundment. Spaying and neutering of cats shall be in conformance with Agriculture Code Sections 31750 and 31751.

B. When a dog which is impounded bears a valid current license tag, said dog shall be kept ten (10) days after mailing notice of impoundment by certified mail at the owner's expense, to the licensed owner. The owner may reclaim said dog upon payment of a fee in the amount of thirty dollars (\$30.00), plus the expenses resulting from impoundment and the mailing of notice. If the owner does

not reclaim the dog within ten (10) days from the date notice is mailed, the animal control officer may dispose of it in the manner described in subsection A of this section."

Section IV: Second time impound fee is changed from \$40.00 to \$55.00. Therefore, Subsection 6.08.110E shall be rescinded and replaced to read in its entirety as follows:

"E. When any dog, cat, other domestic animal or livestock is impounded and reclaimed for a second time, an additional fee in the amount of fifty-five dollars (\$55.00) shall be charged to reclaim such animal the second time; when any such animal is reclaimed three or more times, an additional fee in the amount of one hundred dollars (\$100.00) shall be charged each time the animal is reclaimed commencing with the third time. All fees described herein shall be in addition to the basic impound and notice fees."

Section V: Section 6.08.150 shall be rescinded and replaced in its entirety to read as follows:

"6.08.150 Seizing and impounding dogs. The small animal control officer and/or a peace officer employed by the Mariposa County Sheriffs Department may impound an animal in violation of section 6.08.260 of this chapter. If the small animal control officer and/or a peace officer employed by the Mariposa County Sheriffs Department observes an animal which is in violation of section 6.08.260 return to the private property of the animal's owner or the person who has the right to control or possess the animal a citation may be issued in lieu of impoundment. If the animal is impounded a notice shall be posted on the front door of the living unit of the owner or the person who has the right to control or possess the animal stating that the animal has been impounded, where the animal is being held, the name, address, and telephone number of the animal control officer and/or the sheriffs office or peace officer to be contacted regarding release of the animal and an indication of the ultimate disposition of the animal if no action to regain it is taken within a specified period of time by its owner or by the person who has a right to control or possess the animal."

Section VI: Section 6.08.260 entitled "Owner responsibilities", shall be rescinded and replaced in its entirety to read as follows:

"6.08.260 Owner responsibilities.  
It shall be a violation of this chapter by a dog owner for an owner's dog to:  
A. Run at large on any private property or where any

livestock or domestic fowl are kept without the permission of the property owner;

B. Be in a county park, county recreation area, school or school grounds, unless the dog is on a leash;

C. Run at large in a public street, trailer park or campground;

D. Injure a person or damage or destroy property;

E. It shall be a violation of this chapter for any person to abandon a dog or other animal in the county."

Section VII: Subsection 6.08.300.30 shall be rescinded and replaced to read in its entirety as follows:

"6.08.300.30 Investigation. Upon notification of the whereabouts of a vicious dog, the small animal control officer shall immediately conduct an investigation of the matter for the purpose of verifying the report. If, after investigation, the small animal control officer determines that the dog has bitten or attacked a person or another animal so as to indicate vicious propensities, the small animal control officer shall either notify the owner of the dog in writing and direct that henceforth the dog be kept within a secured enclosure as approved by the small animal control officer, or under any other type of control the small animal control officer deems adequate under the circumstances, or proceed pursuant to subsection 6.08.300.60 of this chapter with impoundment and court procedures. Failure to comply with such direction shall constitute a misdemeanor punishable pursuant to section 1.20.010 of this code."

Section VIII: Subsection 6.08.300.40 shall be rescinded and replaced to read in its entirety as follows:

"6.08.300.40 Misdemeanor. A dog owner whose dog commits any of the acts described in subsection 6.08.300.20 is guilty of a misdemeanor punishable by section 1.20.010 of this code."

Section IX: Subsection 6.08.300.60 of the vicious dog ordinance is rescinded and replaced to read in its entirety as follows:

"6.08.300.60 Impoundment of Vicious Dog. If the small animal control officer has, pursuant to section 6.08.300.30 previously notified a dog's owner in writing that the dog is vicious and the dog subsequent to the notification is found to be at large, or actually bites or injures a person or another animal, then the dog shall be impounded and held in impoundment at the owner's expense pending a decision by a court of competent jurisdiction as to the disposition of the dog pursuant to subsection 6.08.300.50 of this chapter."

Mariposa County Ordinance No. 700

Section X: This Ordinance shall become effective thirty (30) days from the date of final passage pursuant to Government Code Section 25123.

PASSED AND ADOPTED this 8th day of December, 1987 by the Board of Supervisors of Mariposa County by the following vote:

AYES: BAGGETT, DALTON, ERICKSON, RADANOVICH, TABER  
NOES: NONE  
ABSENT: NONE  
ABSTAINED: NONE




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LEROY RADANOVICH, Chairman  
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:



\_\_\_\_\_  
MARGIE WILLIAMS  
Clerk of the Board

  
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JEFFREY G. GREEN  
County Counsel