

AN ORDINANCE OF THE CITY OF HUNTINGTON BEACH
AMENDING CHAPTER 7.08 OF THE HUNTINGTON BEACH MUNICIPAL
CODE RELATING TO LICENSING PROVISIONS FOR DOGS AND CATS

The City Council of the City of Huntington Beach does hereby ordain as follows:

SECTION 1. Section 7.08.010 of the Huntington Beach Municipal Code is hereby amended to read as follows:

7.08.010 License and registration required. No person owning, having an interest in, or having control, custody or possession of any dog or cat shall fail, neglect or refuse to license and register such dog or cat if over six (6) months of age in compliance with the terms of this chapter. A violation of this section is an INFRACTION, and upon a conviction thereof shall be punishable by a fine not to exceed one hundred dollars (\$100). (189-2/18, 509-4/47, 885-1/62, 1279-2/67, 1555-3/70, 1815-3/73, 1905-3/74, 1907-5/74, Urg. Ord. 2034-1/76)

Any person advertising to the public the availability of any dog or cat for adoption, sale, barter or other transfer must prominently display the business license number in the advertisement. The license number shall also be provided to any person adopting or purchasing any dog or cat that is bred in the City of Huntington Beach.

SECTION 2. Section 7.08.030 of the Huntington Beach Municipal Code is hereby deleted in its entirety.

SECTION 3. Section 7.08.050 of the Huntington Beach Municipal Code is hereby amended to read as follows:

7.08.050 License--Owner duty to obtain. Any owner, with the exceptions herein provided, of a dog over the age of four (4) months in the city shall obtain a license and pay an original or renewal license fee as established by the County of Orange Animal Care Services on or before the effective date of this section and July 1 of each year thereafter.

The license fee for a spayed or altered dog or cat shall be as established by the County of Orange Animal Care Services. The owner has the burden of proof to show the dog or cat has been spayed or altered.

Except that the license fee shall be one-half (1/2) the regular fee for the following:

- (a) Any owner of a dog or cat establishing residence in the city after December 31 of any year;
- (b) Any owner of a dog or cat acquired after December 31 of any year;
- (c) Any owner of a dog which had not reached the age of four (4) months by December 31 of a year.

Original license fees shall be due and payable within thirty (30) days after any dog or cat is acquired and comes into the care, custody and control of any person in the city. (885-1/62,

APPROVED FOR INTRODUCTION
3/3/2008

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1279-2/67, 1555-2/70, 1872-11/73, Urg. Ord. 2034-1/76, 2246-1/78, 2406-2/80, 2435-7/80)

SECTION 4. Section 7.08.060 of the Huntington Beach Municipal Code is hereby amended to read as follows:

7.08.060 License--Penalty fees. Any person who fails to pay the required dog license fee prior to August 1 each year shall pay, in addition to the license fee, a penalty fee as set forth by the County of Orange Animal Care Services.

Any person who fails to obtain an original license within thirty (30) days after his/her owning any dog or any dog coming into his/her care, custody and control in this city shall pay in addition to the original license fee, a penalty fee as set forth by the County of Orange Animal Care Services. (1907-5/74, Urg. Ord. 2034-1/76, Urg. Ord. 2084-6/76)

SECTION 5. This ordinance shall become effective 30 days after its adoption.

PASSED AND ADOPTED by the City Council of the City of Huntington Beach at a regular meeting thereof held on the _____ day of _____, 200__.

Mayor

ATTEST:

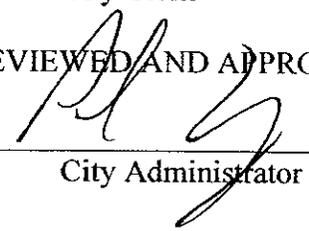
INITIATED AND APPROVED:

City Clerk



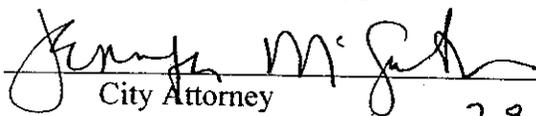
Chief of Police 2-8-08

REVIEWED AND APPROVED:



City Administrator

APPROVED AS TO FORM:



City Attorney 2.8.08

LEGISLATIVE DRAFT

Chapter 7.08

LICENSING PROVISIONS

(324-5/29, 509-4/47, 522-6/48, Urg. Ord. 641-2/56, 885-1/62, 1088-9/64, 1279-1/67, 1555-2/70, 1557-2/70, 1815-2/73, 1872-11/73, 189-2/18, 1905-3/74, 1907-5/74, 1910-6/74, Urg. Ord. 2034-1/76, Urg. Ord. 2084-6/76, 2246-1/78, 2281-5/78, 2406-2/80, 2435-7/80, 2475-5/81, 3751-11/06)

Sections:

- 7.08.010 License and registration required
- 7.08.020 License--Transferability
- ~~7.08.030 License--Certificates procured~~
- 7.08.040 License--Tags, certificates issued
- 7.08.050 License--Owner duty to obtain
- 7.08.060 License--Penalty fees
- 7.08.070 License--Exempted animals
- 7.08.080 License--Shown to license inspector
- 7.08.090 Removal of tags and collars
- 7.08.100 Counterfeiting tags
- 7.08.110 License--Vaccination certificate
- 7.08.120 Guard dog registration
- 7.08.130 (Deleted – Ord. No. 3751-11/06)
- 7.08.140 Repealed, Ord. 2246-1/78

7.08.010 License and registration required. No person owning, having an interest in, or having control, custody or possession of any dog shall fail, neglect or refuse to license and register such dog if over four (4) months of age in compliance with the terms of this chapter. A violation of this section is an INFRACTION, and upon a conviction thereof shall be punishable by a fine not to exceed one hundred dollars (\$100). (189-2/18, 509-4/47, 885-1/62, 1279-2/67, 1555-3/70, 1815-3/73, 1905-3/74, 1907-5/74, Urg. Ord. 2034-1/76)

Any person advertising to the public the availability of any dog or cat for adoption, sale, barter or other transfer must prominently display the business license number in the advertisement. The license number shall also be provided to any person adopting or purchasing any dog or cat that is bred in the City of Huntington Beach.

7.08.020 License--Transferability. No dog license is transferable, except in the following circumstances:

- (a) Upon payment of a two dollar (\$2) fee, a new license may be issued to a new owner of a dog that was previously licensed by the city when said license is still current.
- (b) Upon payment of a two dollar (\$2) fee, a new resident of the city may be issued a new license for his dog in the following circumstances:
 - (i) The dog was previously licensed in another jurisdiction and said license is current and valid through June 30 following the date of application;
 - (ii) Said previous license is presented for cancellation; and
 - (iii) The owner presents a valid rabies inoculation certificate which is effective through June 30 following the date of application.

Any new license issued pursuant to this section shall be renewed pursuant to section 7.08.050 of this code. (885-1/62, Urg. Ord. 2034-1/76, 2281-5/78)

~~7.08.030 License--Certificates procured. The City Animal License Inspector is authorized and directed to procure each year, prior to the first day of July, such number of license certificates and tags as may be sufficient for use during the year, with the year plainly inscribed thereon. Said certificates and tags shall expire July 1 of the following year. (189-3/48, 509-4/47, 885-1/62, Urg. Ord. 2034-1/76)~~

7.08.040 License--Tags, certificates issued.

- (a) A metallic tag or other means of permanent identification, such as tattooing, and license certificate with corresponding numbers shall be furnished by the City Animal License Inspector or one of his authorized agents, to any person required by this chapter to obtain a license upon payment of the appropriate fee prescribed in this chapter. Said person shall bear the cost of the permanent identification if other than a metallic tag is chosen by said person.
- (b) The City Animal License Inspector shall keep a record of the name, address and telephone number of the owner of the dog or person making payment of the license fee, and to whom a certificate and tag shall have been issued, and the number and date of such certificate. Such metal tag issued for the current license year shall be securely fastened to the collar or harness of the dog, and shall be worn by such dog at all times other than those periods when confined to the owner's house, enclosed yard or pen. A duplicate of a lost license tag may be procured from the City Animal License Inspector upon proof of loss and payment of two dollars (\$2). (1279-2/67, 1905-4/74, 1907-5/74, Urg. Ord. 2034-1/76)

7.08.050 License--Owner duty to obtain. Any owner, with the exceptions herein provided, of a dog over the age of four (4) months in the city shall, ~~and at the option of the owner of a cat may,~~ obtain a license and pay an original or renewal license fee of ~~twelve and 50/100ths dollars (\$12.50)~~ **as established by the County of Orange Animal Care Services** on or before the effective date of this section and July 1 of each year thereafter.

The license fee for a spayed or altered dog or cat shall be ~~six and 25/100ths dollars (\$6.25)~~ **as established by the County of Orange Animal Care Services**. The owner has the burden of proof to show the dog or cat has been spayed or altered.

Except that the license fee shall be one-half (1/2) the regular fee for the following:

- (a) Any owner of a dog or cat establishing residence in the city after December 31 of any year;
- (b) Any owner of a dog or cat acquired after December 31 of any year;
- (c) Any owner of a dog which had not reached the age of four (4) months by December 31 of a year.

Original license fees shall be due and payable within thirty (30) days after any dog or cat is acquired and comes into the care, custody and control of any person in the city. (885-1/62, 1279-2/67, 1555-2/70, 1872-11/73, Urg. Ord. 2034-1/76, 2246-1/78, 2406-2/80, 2435-7/80)

7.08.060 License--Penalty fees. Any person who fails to pay the required dog license fee prior to August 1, ~~1976, and prior to August 1 each year thereafter,~~ shall pay, in addition to the license fee, a penalty fee **as set forth by the County of Orange Animal Care Services**.

Any person who fails to obtain an original license within thirty (30) days after his/her owning any dog or any dog coming into his/her care, custody and control in this city shall pay in addition to the original license fee, a penalty fee of ~~50 percent (50%) of the original license fee~~ **as set forth by the County of Orange Animal Care Services**. (1907-5/74, Urg. Ord. 2034-1/76, Urg. Ord. 2084-6/76)

7.08.070 License--Exempted animals. No license fee shall be required for the following:

- (a) Seeing-eye dogs;
- (b) Dogs honorably discharged from the armed forces of the United States;
- (c) Dogs in the care, custody and control of nonresidents who are traveling through the city, or temporarily staying in the city for a period not exceeding thirty (30) days, or dogs temporarily brought into the city for the exclusive purpose of being entered in a bench show or dog exhibition, provided such dogs are so entered and not kept elsewhere in the city;
- (d) Dogs under the care, custody or control of, or owned by senior citizens remain obligated to license their dog(s) regardless of the license fee exemption, and they shall be obligated to pay penalty fees for late licensing of their dog(s). (885-1/62, 1279-2/67, 1555-2/70, 1905-4/74, 1907-5/74, Urg. Ord. 2034-1/76)

7.08.080 License--Shown to license inspector. No person shall fail or refuse to show to the City Animal License Inspector or any police officer, the license and the tag for any duly registered dog kept or remaining in any home or upon any enclosed premises under his immediate control. A violation of this section is an INFRACTION, and upon conviction thereof shall be punishable by a fine not to exceed one hundred dollars (\$100). (885-1/62, 1279-2/67, 1905-3/74, Urg. Ord. 2034-1/76)

7.08.090 Removal of tags and collars. No unauthorized person shall remove from any dog or cat any collar, harness, or other device to which is attached a registration tag for the current year or to remove such tag therefrom. A violation of this section is an INFRACTION, and upon a conviction thereof shall be punishable by a fine not to exceed one hundred dollars (\$100). (885-1/62, 1279-2/67, 1905-3/74, Urg. Ord. 2034-1/76)

7.08.100 Counterfeiting tags. No person shall imitate or counterfeit the tags in this chapter provided for, or shall use any imitation or counterfeit of such tag. (885-1/62, 1279-2/67, 1905-3/74, Urg. Ord. 2034-1/76)

7.08.110 License--Vaccination certificate. Every person applying for a dog license must exhibit a certificate issued by a person licensed by the state to practice veterinary medicine, which certificate shall show that the dog for which the license shall be issued, either has been vaccinated in accordance with the provisions of the ordinance of the county of Orange, or should not be so vaccinated by reason of age, infirmity or other disability. Such exemption shall be valid for a period not to exceed one (1) year. A license for any dog shall not be issued unless and until such certificate is exhibited. (Urg. Ord. 641-2/56, 885-1/62, 1279-2/67, 1905-3/74, Urg. Ord. 2034-1/76)

7.08.120 Guard dog registration.

- (a) No person owning, having custody, charge, control or possession of a dog bred or trained formally to attack shall fail to register such animal as a guard dog by so indicating in the space provided on the animal license form.
- (b) No person owning, having custody, charge, control or possession of a guard dog on nonresidential property shall fail to post signs of sufficient size and design on his premises giving adequate notice and warning to the public of the presence of such guard dog.
- (c) Any person owning, having custody, charge, control or possession of a guard dog who fails or refuses to comply with any provision of this section, and who causes, permits or allows such guard dog to harm or injure any city employee while acting within the scope of his official duties, shall be guilty of a MISDEMEANOR, and upon conviction thereof shall be punished by a fine of \$500 or six (6) months in the county jail, or by both such fine and imprisonment, and each day or portion thereof such person fails or refuses to comply with the provisions of this section shall be deemed a separate offense, and shall be punishable as provided herein.

(324-5/29, 522-6/48, 885-1/62, 1088-9/64, 1279-1/67, 1557-2/70, 1815-2/73, 1905-3/74, 1910-6/74, 2406-2/80, 2475-5/81)

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