



POTENTIALLY DANGEROUS AND VICIOUS ANIMALS



City Council Meeting
October 25, 2022

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BACKGROUND

In 2006, the City Council adopted Ordinance 3796, establishing a program for the control of potentially dangerous and vicious animals that incorporated Chapter 9 of Division 14 of the Food & Agricultural Code.

BACKGROUND

In 1989, the California Legislature adopted Food & Agricultural Code, Chapter 9, after finding and declaring:

- Potentially dangerous and vicious dogs had become a serious and widespread threat to the safety and welfare of the citizens of the state.
- The number and severity of these attacks were attributed to failure of owners to register, confine, and properly control their aggressive dogs.
- The regulation and control of aggressive dogs was necessary as the then existing laws were inadequate to deal with the threat to public health and safety posed by these animals.

BACKGROUND

The incorporated Food & Agricultural Code statutes:

- Define what constitutes a potentially dangerous or vicious dog;
- Address the disposition of these dogs;
- Provide a model provision for municipalities to follow;
- Permit a city to adopt its own program for the control of potentially dangerous and vicious dogs that may incorporate all, part, or none of this chapter.

BACKGROUND

Over the years, the City has seen a surge in the number and severity of attacks by dogs against individuals and/or their domestic animals due to owners' failure to confine and control their aggressive dogs.

BACKGROUND

The proposed amendments to Santa Rosa City Code Title 7, Chapter 7-04, Section 7-04.010, would redefine potentially dangerous and vicious animals to give the City Attorney discretion to seek a “vicious” designation on a dog that, when unprovoked, kills one or more domestic animals.

The amendments would:

- Enhance public safety.
- Place greater accountability on owners who fail to properly confine and control their aggressive animals.

AMENDMENTS

Chapter 7-04, Section 7-04.010. The revisions include:

- Redefining potentially dangerous and vicious animals, giving the City Attorney discretion to seek a “vicious” designation on a dog that, when unprovoked, kills a domestic animal;
- Broadening and amending the “Enclosure” definition to ensure a dog deemed potentially dangerous or vicious is properly confined at all times when on the owner’s premises in order to prevent the animal from escaping.

RECOMMENDATION

It is recommended by the City Attorney's Office that the City Council introduce an ordinance to amend City Code Chapter 7-04, Section 7-04.010 to give City Attorney discretion to seek a "vicious" designation on an animal that, when unprovoked, kills another domestic animal and to broaden the definition of a secure "enclosure" to protect the public health, safety and welfare.

QUESTIONS