



# POTENTIALLY DANGEROUS AND VICIOUS ANIMALS



City Council Meeting  
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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