

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF RIVERSIDE, CALIFORNIA,
AMENDING CHAPTER 8.10 OF THE RIVERSIDE MUNICIPAL CODE
REGARDING NOISY ANIMALS

The City Council of the City of Riverside does ordain as follows:

Section 1: Section 8.10.015 of the Riverside Municipal Code is amended as follows:

“Section 8.10.015 Definitions.

For the purpose of this chapter, the following words and phrases shall have the meanings given herein:

...

‘Noisy animal’ means any animal or animals maintained on the same premises or location whose **unprovoked** excessive, unrelenting or habitual barking, howling, crying or other noises or sounds, **occurring continuously and/or incessantly for a period of ten minutes or intermittently for one-half hour or more on five or more separate days within a thirty (30) day period,** annoy or become offensive to a resident or residents, **other person, or animal control officer,** in the vicinity thereby disturbing the peace of the neighborhood or causing excessive discomfort to any reasonable person of normal sensitivity hearing such sounds.

...”

Section 2: Section 8.10.030 of the Riverside Municipal Code is amended as follows:

“Section 8.10.030 Declaration of noisy animal as a public nuisance.

A. The City Council hereby determines and declares that it is unlawful and a public nuisance for any person owning, keeping, harboring or having in his or her care, custody or control any animal, ~~to cause or suffer, or permit to be made or caused by such animal, barking, howling, crying or making of any noises or other sounds, so as to annoy and become offensive to a resident or residents in the vicinity in which the animal is kept thereby disturbing the peace of the neighborhood or causing excessive discomfort to any reasonable person of normal sensitivity residing in the area,~~ **which constitutes a Noisy Animal as defined by this Chapter** unless such noise or sound is made by an official police dog while on duty.

1 B. If, in violation of the provisions of this declaration of nuisance, any person owns,
2 maintains, harbors, keeps or has any ~~animal who persistently emits any noises or sounds in such a~~
3 ~~manner as to annoy and become offensive to a resident or residents in the vicinity in which the animal~~
4 ~~is kept~~ **Noisy Animal**, the maintenance of such animal may be declared a public nuisance by written
5 notice to the owner or person in charge, custody or control of the animal. If after the issuance of such
6 notice, the person owning, keeping, harboring or having in such person's care or custody any ~~animal~~
7 **Noisy Animal** has not abated the nuisance, such person shall be liable to enforcement of the provisions
8 of this Code.

9 C. It is unlawful for the Responsible Party, after being informed in writing that such
10 person's animal has been declared a noisy animal and that the maintenance of a ~~Noisy A~~animal is a
11 public nuisance, to fail, refuse or neglect to take whatever steps or use whatever means are necessary
12 to assure that such animal does not again disturb residents in the vicinity in which the animal is kept.”

13 Section 3: Section 8.10.050 of the Riverside Municipal Code is amended as follows:

14 **“Section 8.10.050 Declaration of Complaint of Noisy Animal and Petition for**
15 **Administrative Hearing.**

16 A. When the Director of Animal Services receives a subsequent verbal or written
17 complaint concerning a ~~Noisy A~~animal at the same location within twelve months after the issuance
18 of a Noisy Animal Warning Notice, the Director of Animal Services shall determine whether the Noisy
19 Animal Warning Notice went unheeded. If the determination is made the nuisance was not abated, a
20 Declaration of Complaint of Noisy Animal and Petition for Administrative Hearing ~~shall~~ **may** be
21 issued by the Director of Animal Services to the Complaining Party.

22 B. The Declaration of Complaint and Petition for Administrative Hearing shall be
23 completed under penalty of perjury by the Complaining Party **or by an animal control officer who**
24 **has personally confirmed the continued existence of a potential nuisance** and returned within ten
25 (10) days to the Director of Animal Services.

26 . . . ”

27 Section 4: The City Council has reviewed the matter and, based upon the facts and
28 information contained in the staff reports, administrative record, and written and oral testimony,

1 hereby finds that this ordinance is not subject to CEQA pursuant to Sections 15060(c)(2), 15060(c)(3)
2 and/or 15061(b)(3) of the State CEQA Guidelines, California Code of Regulations, Title 14, Chapter
3 3, in that it will not result in a direct or reasonably foreseeable indirect physical change in the
4 environment nor have a significant impact on the environment.

5 Section 5: The City Clerk shall certify to the adoption of this ordinance and cause
6 publication once in a newspaper of general circulation in accordance with Section 414 of the Charter
7 of the City of Riverside. This ordinance shall become effective on the 30th day after the date of its
8 adoption.

9 ADOPTED by the City Council this _____ day of _____, 20____.

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11 _____
12 Mayor of the City of Riverside

13 Attest:

14 _____
15 City Clerk of the City of Riverside
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1 I, Colleen J. Nicol, City Clerk of the City of Riverside, California, hereby certify that the
2 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the
3 _____ day of _____, 20____, and that thereafter the said ordinance was duly and
4 regularly adopted at a meeting of the City Council on the _____ day of _____, 20____,
5 by the following vote, to wit:

6 Ayes:

7 Noes:

8 Absent:

9 Abstain:

10 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
11 City of Riverside, California, this _____ day of _____, 20____.

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13 _____
14 City Clerk of the City of Riverside
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