

**ORDINANCE NO. 771**  
(AS AMENDED THROUGH 771.2)  
AN ORDINANCE OF THE COUNTY OF RIVERSIDE, AMENDING  
ORDINANCE NO. 771 CONTROLLING POTENTIALLY  
DANGEROUS AND DANGEROUS ANIMALS

The Board of Supervisors of the County of Riverside, State of California, ordains as follows:

**Section 1. FINDINGS.**

1. Because of the increased urbanization of Riverside County the County has experienced increasing numbers of dogs and other animals being kept in close proximity to humans including children.
2. The keeping of dogs and other animals in close proximity to adults and children has resulted in increasing incidents of attacks, biting and menacing behavior by such dogs and other animals.
3. These incidents now present a public health and safety problem to the residents of this County and increasing numbers of cases have resulted in painful and/or serious injuries to adults and children, death and injuries to other animals, attendant economic losses to County residents, and anxiety to those bitten by unlicensed animals whose vaccination status is therefore not established.
4. In an attempt to bring this problem under control, it is necessary to (1) increase the total number of animals which are licensed and thus properly established to have been vaccinated against rabies; (2) encourage the spaying and neutering of animals, which (a) reduces the number of strays at large and not safely confined, (b) reduce aggressiveness and animals at large; and (c) reduces the financial cost to taxpayers of Animal Control Services, and (3) establish a warning and hearing procedure to put the owners of potentially dangerous, dangerous dogs and other animals on adequate notice to control such animals and to bring about the confinement of such animals and the destruction of those animals where other lesser measures have failed or are inappropriate.

**Section 2. DEFINITIONS.**

Whenever, in this Ordinance or in any resolution or standard adopted by the Board of Supervisors pursuant to this Ordinance, the following terms are used, they shall have the meaning ascribed to them in this Section, unless it is apparent from the context thereof, that some other meaning is intended.

**Attack.** Any action by an animal which places a person in danger of immediate bodily harm.

**Animal Services Manager.** The Animal Services Manager of the County of Riverside or his/her duly authorized representative.

**Dangerous Animal.** Any animal which has twice within a 48-month period in two separate incidents has, actively pursued, attacked, bitten, or otherwise caused a less severe injury than a “Substantial Injury”, (as hereinafter defined), to another person or animal engaged in a lawful activity; or,

Any animal which has once attacked, bitten, or otherwise caused injury to a person or animal engaged in lawful activity, resulting in death or substantial injury; or,

Any animal which has been previously declared a “potentially dangerous animal” and the owner/custodian has failed to restrain the animal as so directed; or,

Any dog which has been declared a “potentially dangerous dog” as defined by California State Law during any legal hearing process.

**Potentially Dangerous Animal.** Any animal which has once actively pursued, attacked, bitten, or otherwise caused a less severe injury than a “Substantial Injury”, (as hereinafter defined), to another person engaged in a lawful activity.

Any animal which has once attacked, bitten, or otherwise caused a less severe injury than a “Substantial Injury”, (as hereinafter defined), to another animal.

Any animal which is found actively pursuing livestock, poultry, dogs, cats or animals as defined in Ordinance 534.

**Substantial Injury.** A substantial impairment of the physical condition of a person or animal which requires professional medical treatment, including, but not limited to, loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; muscle tears, disfiguring lacerations, punctures, or a wound requiring multiple sutures; or any injury requiring corrective or cosmetic surgery.

**Secure Enclosure.** A fence or structure suitable to prevent the entry of young children or any part thereof, and which is suitable to confine a “potentially dangerous”, or “dangerous animal” in conjunction with other measures which may be taken by the owner or keeper of the animal, or at the direction of the Animal Services Manager. The enclosure shall be designed to prevent the animal from escaping and from preventing an adult or child from coming in contact with the animal. (A chain where a person can walk within the length of the chain, or an electric collar or invisible fence is not a sufficient restraint or enclosure.)

**Vicious Dog.** Any dog which, when unprovoked, in an aggressive manner, inflicts injury on or kills a human being or animal.

Any Dog previously determined to be and currently listed as a potentially dangerous dog which after its owner or keeper has been notified of this determination, continues that behavior described in Section 31062 of the Food and Agricultural Code or in maintained in violation of Section 31641, 31642, or 31643 of the Food and Agricultural Code

**Section 3. ADMINISTRATIVE RESTRAINT ORDER FOR POTENTIALLY DANGEROUS ANIMALS.**

- A.** If the Division of Animal Control has cause to believe that an animal is a “Potentially Dangerous Animal”, the Animal Services Manager/designee shall issue a “Potentially Dangerous Animal Restraint Order” to the owner(s) or custodian(s) of any such dog or animal that fits the description described in this Ordinance, of a “Potentially Dangerous Animal”. Said statement shall be served by hand-delivery or certified and first-class mail. The statement shall notify the owner(s) or custodian(s) of such animal(s) that such owner(s) custodian(s) is/are required thereafter at all times to keep such animal(s) in a secure enclosure or provide such other adequate secure restraint as may be specified on the Restraint Order.
- B.** An owner(s)/custodian(s) of an animal(s) receiving a “Potentially Dangerous Animal Restraint Order” may request a hearing on the order by a Hearing Officer selected by the Department Director. The request for a hearing must be submitted in writing, during the ten (10) calendar days following the service of the Order. Pending such hearing, the animal must be kept in a secure enclosure or adequately restrained as specified in the Restraint Order.
- C.** Failure of the owner(s)/keeper(s) to request a hearing on the Restraint Order within the ten (10) day period, or failure to attend or be represented at a scheduled hearing, shall constitute a waiver of the right to a hearing and shall satisfy the hearing requirements provided herein.
- D.** All hearings pursuant to Section 3 (b) of this Ordinance shall be conducted by the Hearing Officer who shall not have been directly involved in the subject action. Hearings shall be held not more than ten (10) working days from the date of receipt of the request for the hearing and shall be conducted in an informal manner consistent with due process of law. A hearing may be continued for a period of time not to exceed thirty (30) days if the Hearing Officer deems such continuance to be necessary and proper. Within ten (10) days after the conclusion of the hearing, the Hearing Officer shall render, in writing, his/her findings, decision and order thereon and shall give notice of said findings, decision and order to the owner or custodian of the subject animal; service of such notice shall be by mail or hand delivery.
- E.** Costs for successful enforcement of this Section shall be recouped from the animal's owner or custodian pursuant to Ordinance 630, Section 21.
- F.** An animal which as been determined to be a potentially dangerous animal following the conclusion of the process described in subdivisions (a) through (d) above shall be added to a list of potentially dangerous animals maintained by the Division of Animal Control. Once an animal has been determined to be a potentially dangerous animal, if there are no additional instances of the behavior described in Section 2 (d) of this Ordinance within a 48-month period from the date of the restraint order, the animal

may be removed from the list of potentially dangerous animals by the Animal Services Manager/designee.

**Section 4. IMPOUNDMENT AND ABATEMENT OF DANGEROUS ANIMALS.**

The Division of Animal Control is hereby authorized and empowered to impound and/or abate (destroy) any "Dangerous Animal" as a public nuisance independently of any criminal prosecution or the results thereof by any means reasonably necessary to protect the health, safety and welfare of the public including, but not limited to, the imposition upon the owner and/or custodian of specific, reasonable restrictions and conditions for the maintenance of the animal. In carrying out an abatement, the Division shall follow the procedure established in Ordinance 630, Section 22. Restrictions and/or conditions resulting from abatement proceedings may include, but are not limited to the following:

- A.** Requiring the owner of the animal, possessor of the animal or owner of the premises on which the animal is kept to obtain and maintain liability insurance in the amount of one hundred thousand dollars (\$100,000) and to furnish a certificate or proof of insurance by which the Division shall be notified at least thirty (30) calendar days prior to cancellation or non-renewal;
- B.** Requirements as to the size, construction and design of structured enclosure for the animal;
- C.** Location of the animal's residence including prior notice of plans to move the animal to another location or to a location outside of Riverside County and obtaining approval from the Division of Animal Control to do so after proper notification of animal regulation in the new jurisdiction;
- D.** Requirements as to type and method of restraints for the animal; including but not limited to leashes, muzzles and confinement in a kennel or other facility;
- E.** Photo identification or permanent marking of the animal for purposes of identification;
- F.** A requirement to obtain a "Dangerous Animal Registration" and/or requiring a tattoo or micro chip noting the declaration and registration with Riverside County Animal Control;
- G.** A requirement to alter the animal;
- H.** Requirements to allow inspection of the animal and its enclosure by the Division of Animal Control or any other law enforcement agency without warrant, and to produce upon demand, proof of compliance with such requirements of this Section; as may be applicable;
- I.** Obtaining written permission to keep the animal on certain specified premises from the landlord/owner, in the event that the owner/custodian of the dangerous animal is a tenant or occupant on real property where the animal is being kept.

- J. Any person who violates any provision of this Section is guilty of an infraction or misdemeanor, if charged.

**Section 5. PLACEMENT OF WARNING SIGNS.**

It shall be unlawful for the owner or person in charge of any animal that has been found to be a "Potentially Dangerous Animal", "Dangerous Animal" or "Vicious Animal" to fail, neglect, or to refuse to keep posted in a conspicuous place at or near the entrance to the premises on or within which any dog or animal is kept, a sign having letters at least (2) inches in width and (2) inches in height and reading "Beware of vicious dog" or "Beware of vicious \_\_\_\_\_," as may be appropriate.

**Section 6. CHANGE OF OWNERSHIP, CUSTODY AND/OR LOCATION OF ANIMAL.**

- A. The owner and/or custodian of an animal that is on restriction as above provided and who moves or sells the animal(s), or otherwise transfers the ownership, custody or location of the animals(s), shall, at least fifteen (15) days prior to the actual transfer or removal of the animal, notify the Division of Animal Control in writing of the name, address and telephone number of the proposed, new owner or custodian, and/or the proposed, new location of the animal, and the name and description of the animal(s). The Division may prohibit the proposed relocation for cause.
- B. The owner and/or custodian shall, in addition to the above, notify any new owner or custodian in writing regarding the details of the animal's record, and the terms and conditions for confinement and control of the animal. The transferring owner and/or custodian shall also provide the Division with a copy of the notification to the new owner or custodian containing an acknowledgment by the new owner or custodian of his/her receipt of the original notification and acceptance of the terms and conditions. The Division may impose different or additional restrictions or conditions upon the new owner or custodian.
- C. If the animal should die, the owner and/or custodian shall notify the Division no later than twenty-four (24) hours thereafter and, upon request, from the Division shall produce the animal(s) for verification. If the animal escapes, the owner and/or custodian shall immediately notify the Division and make every reasonable effort to recapture the escaped animal.
- D. An animal that has been declared dangerous or vicious in any legal hearing, as a result of aggressive behavior, outside the confines of Riverside County, may not be relocated in Riverside County.
- E. Any person who violates any provision of this Section is guilty of an infraction or misdemeanor, if charged.

**Section 7. POSSESSION UNLAWFUL WITHOUT ADEQUATE RESTRAINT.**

It is unlawful for a person to have the custody of or own or possess an animal that is restricted as above provided, unless the animal continues to be restrained or confined to

prevent it from being at large or from causing damage to any property or injury to any person or other animal. Any person who violates any imposed restriction is guilty of misdemeanor.

**Section 8. SURRENDER OF ANIMAL UPON DEMAND.**

The owner and/or custodian of any animal on restriction who is in violation of Section 7 shall surrender such animal to the Division of Animal Control upon demand.

**Section 9. HEARING PROCEDURES AND CHARGES.**

Charges for hearing procedures and costs of confinement at a shelter associated with enforcement under this Ordinance shall be recovered from the animal's owner or custodian as per Sections 21 and 22 of Ordinance 630.

**Section 10. REMEDIES AND PENALTIES IN ORDINANCE 630.**

The additional remedies, penalties and procedures for violation of this Ordinance and for recovery of costs related to enforcement provided for in Ordinance 630 are incorporated herein by this reference.

**Section 11. EXCLUSIONS.**

This Ordinance does not apply to dogs while utilized by any police department or any law enforcement officer in the performance of police work.

**Section 12. COURT PROCEEDINGS UNDER FOOD & AGRICULTURAL CODE SECTION 31601 ET SEQ.**

Nothing in this Ordinance shall prevent the Riverside County Division of Animal Control or any other party from commencing and maintaining court proceedings for the restriction or destruction of any animal as authorized under Food and Agricultural Code Section 31601 et seq.

**Section 13. SEVERABILITY.**

If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions or applications of the provisions of this Ordinance which can be given effect without the invalid provision or application, and to this end, the provisions of this Ordinance are hereby declared to be severable.

This Ordinance shall take effect thirty (30) days after it's adoption.

**Adopted:**

771 Item 3.18 of 06/01/1999 (Eff: 07/02/1999)

**Amended:**

771.1 Item 9.14 of 07/14/2009 (Eff: 08/13/2009)

771.2 Item 3-14 of 01/24/2017 (Eff: 02/23/2017)