

COMPARISON OF COUNTY TITLE 9 AND MORRO BAY TITLE 7 PROVISIONS

CITY CODE	TITLE	COUNTY EQUIV.	TITLE	VARIANCES	COMMENTS
GENERAL PROVISIONS					
7.04.010	Establishment of a public pound	9.01.004	Establishment of a public pound		
7.04.015	Policy of adoption			No equivalent	
7.04.020	Animal control officer - Duties	9.01.005	Chief animal control officer	City code directs CACO to operate under supervision of the Sheriff.	Animal Services and the CACO currently are established within the County Health Agency and operate under the supervision of the Health Agency Director.
7.04.030	Animal control officer - Citation authority - Authorized to carry weapons	9.01.006	Animal control officers - citation authority	County code does not specify authority to carry weapons	Authority for ACOs to carry firearms is established by state law.
7.04.040	Badges/Uniforms - Impersonating animal control officer	9.01.009	Impersonation of animal control officer - Prohibited	County code does not specifically authorize/require ACOs display of badge.	
7.04.050	Records of division	9.01.010	Record of division	City code directs CACO to provide quarterly report to chief of police	Reporting requirements for Animal Services are established in the service agreement and are currently set to be issued semi-annually. Those reports are made to the Chief of Police.
7.04.065	Fees	9.01.011	Fees		
7.04.070	Unnecessary noise - Unsanitary conditions	9.02.004	Unsanitary conditions prohibited	City code only addresses keeping of animals in unsanitary conditions. County code prohibits accumulation of animal wastes that create public nuisance or water quality issues.	In the absence of the additional provision in the city code, Animal Services is unable to address individuals who may remove waste from an animal enclosure but allow it to accumulate elsewhere on the property, creating a potential neighborhood nuisance or health issue.
		9.02.005	Unnecessary noise	County code provides prae facie standard for noise violation	Prima facie standard allows for issuance of citations when problematic noise is substantiated by residents but not occurring in the immediate presence of the officer.
7.04.080	Noise/nuisance abatement	9.02.006	Investigation and abatement of noise or nuisance		
7.04.085	Nuisance abatement hearing - Procedures and findings			No equivalent	Substantiated nuisance allegations are submitted for filing with the DA. This results in a court hearing on the case, negating the need for an administrative hearing.
7.04.090	Owner's responsibility to dispose of dead animals	9.02.011	Owner's responsibility to dispose of dead dogs, cats, and household pets	City code only prohibits dumping of animal carcasses; County code prohibits dumping of carcasses and requires sanitary disposal of animal remains on private property	The absence of a requirement to dispose of animal remains on private property can result in deceased animals being left to decompose naturally, creating visually or sensory offensive circumstances.
7.04.100	Division disposal of dead animals	9.02.012	Disposition of dead dogs, cats, and household pets upon request		
7.04.110	Definitions	9.01.003	Definitions	Some variation in definitions. County code is more expansive.	Absence of some definitions may leave question about interpretation or applicability.
7.04.120	Animal use operation, pet shop - Division regulations	9.03.003 9.05 9.06 9.06.001	Animal keeping limitations - Variance to Animal Breeding Commercial Animal Operations Commercial animal operation - Permit required	County code delineates permitting requirements separately for the various types of operations.	While County code delineates requirements separately, there is no substantial difference between city and county codes in terms of the requirements established.
7.04.125	Animal use operation, pet shops - Business license required	9.06.004	Business license required		

7.04.130	Permit refusal, suspension	9.06.006	Commercial animal operation permit - Issuance, suspension and revocation	City code directs appeal of revocation or denial to city council. County code places those actions before Board of Supervisors.	This variance is inconsequential from Animal Services perspective since the process would be largely the same from an operational level. Primary concern is whether the city would rather place responsibility for hearing and deciding appeals on the BoS or retain it locally. Animal Services has no preference in this regard. If city wants to retain hearing authority, that requirement can be established as an addendum to the code after the section adopting T9 by reference.
7.04.140	Interference with animal control officer	9.01.007	Interference with performance of duties		
7.04.145	Violation of written order	9.01.008	Violation of order		
7.04.150	Impoundment of sick/disabled animals - Post and pre-seizure			No equivalent	Various codes within California state law already address these issues in detail. State code includes the provisions set out in the muni-code but have an expanded scope and language, providing more clarity and direction.
7.04.160	Violation and penalties	9.01.012	Violation		
7.04.170	Menacing and aggressive animals - Animal owner and property owner responsibility	9.02.007	Menacing and aggressive animals		
DOGS					
7.08.010	Stray dogs defined	9.01.003(jj)	Definitions - "Stray"		
7.08.020	Leash law	9.03.005	Leash law	County code addresses loophole in muni code which allows dogs to roam at large provided they don't stray onto public property such as a roadway or park.	In the past this loophole has resulted in dismissal of some citations for leash law violations when dogs left their property to roam through other yards but never crossed the street.
7.08.025	Dog defecation removal	9.02.003	Animal wastes - Duty to remove	County code extends the duty to remove waste to animals other than dogs (cats, livestock, etc.)	In the absence of this additional provision there is no requirement for removal of other animal waste (eg. cats defecating in neighbor's garden; equestrians leaving manure; etc.)
7.08.030	Enforcement of regulations	9.01.005(b)(1)	Chief animal control officer		
7.08.040	Seizing and impounding stray dogs	9.03.006	Duty of division to seize and impound dogs roaming at large		
7.08.050	Dogs running at large	7.03.007	Dogs upon private property		
7.08.060	Private individuals finding lost pets	9.04.001	Private individuals finding lost animals	County code allows division to compel finders of lost animals to surrender them to Animal Services if deemed necessary.	Failure of finders to relinquish stray animals can prevent them from being reunified with their owner.
7.08.070	Notice of impoundment	9.04.002	Notice of impoundment and holding period		
7.08.080	Redemption of impounded dogs	9.04.004	Redemption of impounded animals	County code does not have a provision for administrative hearing to challenge validity of impound	Challenges to impound fees are routinely heard and addressed through the customer service process. Administering such hearings is outside of the scope and capacity of Animal Services under current operational framework and would require additional funding and potentially staffing.
7.08.090	Redemption fees	9.04.008	Impound fees	City code does not include provision to charge owner of impounded animal fees for the cost of boarding and veterinary care.	Boarding and veterinary fees represent a significant portion of total costs associated with impounds and of revenue offset for city service contract fees.
7.08.095	Holding periods	9.04.006	Holding period - Household pets	County code establishes different holding time requirements for household pets and livestock. City code makes no distinction.	Due to differences in management and interaction of owners with livestock, a prolonged holding period is appropriate.
		9.04.007	Holding period - Livestock		

7.08.100	Sale, gift, or destruction of unclaimed dogs	9.04.009	Adoption of unredeemed animals	County code does not include provision requiring release of animals to rescue organizations. However this requirement already exists under state code.	Absence of this provision will have no operational impact as Animal Services is governed by state code which establishes the same requirement.
		9.04.010	Euthanasia of animals		
7.08.105	Veterinarian determination for injured animals			No equivalent	The provisions of this city code are also established in state law.
7.08.110	Injured and/or diseased animals			No equivalent	The provisions of this city code are also established in state law.
7.08.125	Reporting of animal bites	9.08.005	Reporting of bites		
7.08.130	Biting dogs	9.08.006	Biting animals - Penalty		
7.08.140	Impoundment of dogs that bite	9.08.007	Isolation of biting and rabies exposed animals		
7.08.145	Violation of quarantine			No equivalent	The provisions of this city code are also established in state law.
7.08.150	Suspicion of rabies	9.08.008	Suspicion of rabies		
7.08.160	Registration and license	9.07.001	Dog license -Required		
7.08.170	Vaccination required	9.07.003	Vaccination required		
7.08.180	License denied without vaccination	9.08.003	Exemptions from rabies vaccination requirements		
7.08.190	Rabies vaccination certificate	9.08.004	Rabies vaccination - Administration, certificates, and reporting		
7.08.195	Rabies deposit fee required	9.07.005	Rabies deposit fee required		
7.08.200	Record of registration			No equivalent	While no equivalent county code exists, this information is automatically captured in the licensing process.
7.08.210	License - Tags	9.07.006	Dog license tags		
7.08.220	Annual licensing of dogs	9.07.004	Dog license term		
7.08.230	License fees	9.07.008	License fees		
7.08.240	Lost or damaged tag			No equivalent	Issuance of a replacement tag is not mandated by county code but is nevertheless conducted as a matter of routine business with appropriate fees set annually by the BoS.
7.08.250	License - Exemptions	9.07.002	Dog license - Exemptions		
7.08.260	Fee exemptions	9.07.009	License fee - Waived		
7.08.270	Failure to pay fee or provide information			No equivalent	Provision is redundant - requirement for licensure is already established; by default, failure to license is a violation of that section.
7.08.280	Counterfeiting	9.07.010	Counterfeiting prohibited		
7.08.290	Limitations of dogs	9.03.003	Animal keeping limitations - Dogs and cats		
7.08.310	Dogs in public parks			No equivalent	This code prohibits dogs from being in public parks unless they are held on leash by an owner. This provision is duplicative of the leash law which applies in all public areas, including parks, making the provision unnecessary.
CATS					

7.12.010	Duty of division to accept abandoned cats			No equivalent	This code requires Animal Services to impound healthy stray cats. That practice has been found to be ineffective at controlling stray cat populations and leads to significantly high numbers of euthanasia. It is discouraged by industry leaders including HSUS, ASPCA, American Assn of Shelter Veterinarians, and others. Efforts to promote SNR programs have largely supplanted this practice.
7.12.014	Cats at large			No equivalent	
7.12.020	Redemption of impounded cats	9.04.004	Redemption of impounded animals		
7.12.025	Feral cat exception			No equivalent	Unnecessary following move away from impounding healthy stray cats.
7.12.030	Sale, gift, or destruction of cats	9.04.009	Adoption of unredeemed animals		
		9.04.010	Euthanasia of animals		
7.12.040	Impoundment of biting cats	9.08.007	Isolation of biting and rabies exposed animals		
7.12.050	Limitation of cats	9.03.003	Animal keeping limitations - Dogs and cats		
OTHER ANIMALS, POULTRY AND BIRDS					
7.16.010	Animals and poultry at large	9.02.001	Animals at large		
7.16.020	Wild bird sanctuary				These codes establish various provisions unique to Morro Bay and the specific needs or circumstances of the city. If deemed necessary, they can be preserved as addendum codes following the adoption of T9 by reference.
7.16.025	Molesting wild birds - nuisance remedies				
7.16.030	Poultry, rabbits, and other fowl			No equivalent	
7.16.040	Livestock				
7.16.045	Keeping of pygmy livestock				
COUNTY CODES WITHOUT CITY EQUIVALENT					
		9.02.002	Unauthorized feeding or attraction of animals prohibited		Unregulated feeding of cats in public areas promotes development of feral colonies, public nuisances, and overpopulation
		9.02.008	Animals designated as potentially dangerous or vicious		This code places restrictions on the keeping of animals which have been previously designated as dangerous or vicious in another jurisdiction. By doing so, it ensures that animals which have had restrictions on their keeping imposed by a different jurisdiction are still subject to those controls when brought into the local community. In the absence of this ordinance, animals adjudicated to be a public safety threat may be kept in the city of Pismo Beach without restriction.
		9.02.009	Possession of unsafe and wild animals prohibited		County code prohibits the private keeping of dangerous and wild animals such as wolf hybrids, large and venomous snakes which pose potential public safety risks.
		9.02.010	Injury to animals by motorists- Duty to stop and assist		This code requires that in the event that a domestic animal is injured by motorist, proper notifications are made to help ensure it receives timely treatment. In the absence of this code, injured animals are at increased risk of prolonged suffering and/or death.

No equivalent

9.03.001	Microchipping required	County code requires microchipping of all dogs and cats over 16 weeks of age. A Similar state provision requires any animal coming into the custody of Animal Services be microchipped before being returned to its owner. Microchipping substantially increases the likelihood of an animal being returned to its owner and helps decrease shelter impounds. Absence of this provision may lead to increased impounds from Pismo Beach with associated impact on contract service fees.
9.03.003	Animal keeping limitations - Variance to	County code allows for animal owners to obtain a variance permit for the keeping of additional animals over the standard limitation. This permit is issued annually and requires inspection and evaluation to ensure animals are not creating nuisance concerns. Permits may be issued for circumstances such as a person keeping 5 cats that are housed appropriately and exclusively indoors or 4 dogs which are confined to the owners house and yard and which are not prone to barking.
9.03.004	Cats at large	County code prohibits cat owners from allowing those animals to roam at large unless they have been altered. It also allows individuals find an unaltered cat to have that cat spayed or neutered at their own const. This code helps to address the proliferation of community cats and feral cat colonies.
9.04.005	Vaccination and medical treatment of impounded animals authorized	This code authorizes Animal Services to vaccinate and provide medical care for impounded animals. This is essential to prevent infectious disease in the shelter and to address basic animal welfare needs. Code also allows for recovery of associated costs through billing of an identified animal owner.
9.04.007	Holding period - livestock	This code is needed in order to define holding periods for livestock which are found roaming at large.
9.05.006	Report of animal sales	This code section requires individuals engaged in animal breeding and sales accessory to residential use to obtain a permit for such operations. Further establishes standards and inspection allowance to ensure that those activities do not
9.06.002	Commercial animal operation permit- Operational standards	
9.06.005	Emergency notification	
9.07.007	Assistance animal tags	
9.08.002	Rabies vaccination required - Cats	This code requires outdoor cats to be vaccinated against rabies. With regards to domestic animals, cats are the most at risk of exposure due to their natural predatory behavior and the virus' prevalence in bats. The absence of this ordinance creates a potential public health risk to individuals bitten by an outdoor cat.