Chapter 8.18

RESIDENTIAL AND COMMERCIAL KENNELS

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Section 8.18.010 Definitions.

Unless it is apparent from the context that another meaning is intended, the following words, when used herein, shall have the meaning ascribed by this section.

“Commercial Kennel” shall have the same meaning as “Kennel” as defined in Chapter 19.910 Definitions, of the Municipal Code.

“Residential Cattery” means any building, structure, enclosure or premises located in a residential zone whereupon, or within which, ten (10) or more cats, four (4) months of age or older, are kept or maintained.

“Residential Kennel” means any building, structure, enclosure or premises located in a residential zone whereupon, or within which five (5) or more dogs, four (4) months of age or older, are kept or maintained. (Ord. 7084 § 2, 2010; Ord. 4112 § 1 (part), 1974)

Section 8.18.020 Licensing Of Residential Kennels and Residential Catteries.

A. No person shall operate or maintain a Residential Kennel or a Residential Cattery as those terms are defined in Section 8.18.010 of this Chapter without first obtaining an appropriate license from the Animal Control Director. Such license shall be valid for a period of either one (1) or two (2) years from the date of issuance, except that the Animal Control Director may, in his/her discretion, limit the duration of the license to one (1) year when he/she deems such limitation to be appropriate. Said license shall be renewed within thirty (30) days after the date of expiration. The Residential Kennel license fees, and late fees if an application for a license is made more than thirty (30) days after the date such license is required, shall be set forth by resolution adopted by the City Council.

B. Application for a Residential Kennel or a Residential Cattery license shall be filed with the Animal Control Director on a form prescribed by him or her not later than ten (10) days after obtaining written verification from the City of Riverside that the operation of the Residential Kennel or a Residential Cattery is in compliance with the applicable provisions of the Riverside Municipal Code including but not limited to all licensing requirements set forth in Section 8.12.010 of the Riverside Municipal Code. The application form, when completed, shall contain such information as may reasonably be required by the Animal Control Director for the purposes of enforcement of this chapter, including but not limited to the current home telephone number of the caretaker of the subject Residential Kennel or a Residential Cattery and another current telephone number for emergency use or messages when such caretaker is absent from the subject kennel or cattery. Where a Residential Kennel or a Residential Cattery is sought to be operated upon leased or rented premises, a letter of consent from the owner of the premises to the effect that the Residential Kennel or a Residential Cattery may be maintained and operated
on such premises shall be submitted to the Animal Control Director at the time the application
for the Residential Kennel or a Residential Cattery license is submitted.

C. After receipt of a Residential Kennel or a Residential Cattery license application, the
Animal Control Director shall make an inspection of the premises of the Residential Kennel or a
Residential Cattery for which a license is requested. No Residential Kennel or a Residential
Cattery license shall be issued nor shall any such license be renewed, unless and until the
Residential Kennel or a Residential Cattery, in the opinion of the Animal Control Director,
satisfies the applicable laws and regulations of the state of California, the applicable sections of
the Riverside Municipal Code and the applicable conditions set forth in the standards for
kennels and catteries adopted by the City Manager.

D. Notwithstanding any other provision of this chapter, the Animal Control Director is
authorized to enter upon and inspect the premises of any Residential Kennel or a Residential
Cattery located in the city for the purpose of determining whether such kennel or cattery is in
compliance with the provisions of this chapter and the standards for kennels and catteries
referred to in subsection C of this section. As a condition of the issuance of a Residential
Kennel or a Residential Cattery license, each owner and operator of a Residential Kennel or a
Residential Cattery shall agree to allow such entry and inspection, and such agreement shall be
made a part of the license application. Such inspections shall be made during reasonable hours
at times when the owner or operator of the Residential Kennel or a Residential Cattery is
present on the Residential Kennel or a Residential Cattery premises, and with such frequency
as the Animal Control Director shall deem appropriate, and such inspections may, at the
discretion of the Animal Control Director, be made without prior notice to the owner or operator
of the subject Residential Kennel or a Residential Cattery. Willful refusal on the part of a
Residential Kennel or a Residential Cattery owner or operator to allow such inspection shall be
grounds for summary denial of an application for a Residential Kennel or a Residential
Cattery license or for summary suspension or revocation of a Residential Kennel or a Residential
Cattery license.

E. A nonprofit corporation formed pursuant to the provisions of the California
Corporations Code commencing with Section 10400, for the prevention of cruelty to animals,
shall not be required to pay a fee for the licenses required by Subsection A of this section for a
Residential Kennel or a Residential Cattery; provided, however, that all other provisions of
Chapter 8.18 and this section shall be applicable to any such nonprofit corporation.

F. Any person owning, keeping or maintaining five (5) or more dogs, or ten (10) or more
cats prior to the date of the adoption of this code section, shall, for a period of twenty (20) years,
be allowed to own, keep or maintain those specific animals that were properly licensed pursuant
to Chapter 8.12 and which were owned, kept or maintained prior to the adoption of this section
be exempted from the kennel or cattery license requirements of this section. (Ord. 7084 § 2,
2010; Ord. 4112 § 1 (part), 1974)

Section 8.18.030 Denial, Suspension, Revocation and Appeal of a Residential Kennel
or a Residential Cattery License.

A. The Animal Control Director may, in his or her discretion, deny any application for a
Residential Kennel or a Residential Cattery license whether such application is for an original
license or renewal of a license, and may suspend or revoke any Residential Kennel or a
Residential Cattery license if he or she finds that a kennel or cattery fails to meet any or all of
the standards for Residential Kennels or a Residential Catteries referred to in this Section
8.18.020 or is in violation of any law of the state of California or any provision of this chapter,
any provision of any other City code or provision of a conditional use permit.

B. When such denial, suspension or revocation occurs, the director shall prepare a
written notice of such denial, suspension or revocation which shall contain a brief statement of
the reason or reasons for such denial, suspension or revocation. The director shall serve such
notice upon the applicant or licensee by hand-delivery or by registered or certified mail, postage prepaid, return receipt requested or by any overnight delivery service. Denial, suspension or revocation shall be effective thirty (30) days after service of such notice. Where an application for a Residential Kennel or a Residential Cattery license is denied or where a Residential Kennel or a Residential Cattery license issued pursuant to this chapter is revoked, no application for a new license for such Residential Kennel or a Residential Cattery shall be considered for a period of one (1) year from the effective date of such denial or revocation; provided, however, that for good cause shown the Animal Control Director may direct that there be a lesser period of time before such application will be considered.

C. Any person (appellant) whose application has been denied or whose license has not been renewed, or whose license has been suspended or revoked, may appeal such denial, nonrenewal, suspension or revocation by filing with the Animal Control Director or his/her designee within fifteen (15) days after notice of such denial, suspension or revocation, a written notice of appeal briefly setting forth the reasons why the appellant alleges such denial, nonrenewal, suspension or revocation is improper. The Animal Control Director or designee shall set a hearing date for the appeal and shall give written notice of the date, time and place of such hearing to the appellant, and such notice shall be sent by registered or certified mail, postage prepaid, return receipt requested. The date of hearing shall be not less than ten (10) days from the date of mailing of the notice of the date, time and place of the hearing, and the hearing shall be conducted not later than forty-five (45) days from the date of mailing of the notice of denial, nonrenewal, suspension or revocation; provided, however, that at the request of the appellant, the Director may extend the hearing date for a reasonable period beyond the aforementioned forty-five (45) day limit. The appeal shall be heard by an Administrative Hearing Officer as defined by section 1.17.020 of the Riverside Municipal Code and with the qualification and authority outlined in section 1.17.160, which may modify or reverse the denial, nonrenewal, suspension or revocation. Further, the Administrative Hearing Officer shall prepare a detailed written decision. In conducting the hearing, the Administrative Hearing Officer shall not be limited by the technical rules relating to evidence and witnesses, as applicable in courts of law. To be admissible, evidence shall be of the type upon which responsible persons are accustomed to rely in the conduct of serious affairs.

During the pendency of the appeal, there shall be in effect an automatic stay of the denial, nonrenewal, suspension or revocation; provided, however, that during the period of pendency the Animal Control Director may take such action as he or she deems appropriate under this chapter or any other provision of law respecting the subject kennel or cattery, including but not limited to the abatement of public nuisances, inspection of the kennel or cattery premises, or the prosecution of any violation of the Riverside Municipal Code or any other provision of law not related to the failure of the subject kennel or cattery to be currently and otherwise validly licensed.

Any person aggrieved by the order of the Administrative Hearing Officer may obtain judicial review of that order by filing a petition for review with the Superior Court of Riverside County in accordance with the timelines and provisions set forth in California Code of Civil Procedure section 1094.6. (Ord. 7084 § 2, 2010)

Section 8.18.040 Licensing of Commercial Kennels.

Every person owning or operating a Commercial Kennel shall pay to the City an annual license fee for such kennel. Such license fee shall be due and payable on the first day of January of each year, and said license shall be for the period of one year commencing on the first day of January. Failure to pay said license fee shall subject the Commercial Kennel to the enforcement provisions of this chapter, as well as revocation of the use permit issued under Title 19. The license fee, and late fees if an application for a license is made more than thirty (30) days after the date such license is required, shall be set forth by resolution adopted by the
City Council. (Ord. 7084 § 2, 2010)

Section 8.18.050 Development of Commercial Kennels.
All Commercial Kennels shall comply with all the provisions and requirement of Chapter 19.270 of the Municipal Code. In addition, all Commercial Kennels shall be so constructed as to prevent dogs confined therein from running at large off the premises where said kennels are maintained. All Commercial Kennels shall be operated and constructed in a sanitary and proper manner so the same will not become a nuisance to the neighborhood in which such kennel is located. (Ord. 7084 § 2, 2010)

Section 8.18.060 Enforcement.
The provisions of this chapter may be enforced through the administrative code enforcement remedies set forth in Chapter 1.17 of this code in addition to all other proceedings authorized by this code or otherwise by law. (Ord. 7084 § 2, 2010)