
**NEVADA COUNTY
SHERIFF'S OFFICE**



KEITH ROYAL
SHERIFF/CORONER
PUBLIC ADMINISTRATOR

NEVADA COUNTY BOARD OF SUPERVISORS

Board Agenda Memo

MEETING DATE: February 14, 2017

TO: Board of Supervisors

FROM: Keith Royal, Sheriff-Coroner-Public Administrator

SUBJECT: An Ordinance amending Subsection G-IV 1.4 BB. of Article 1 of Chapter IV of the Nevada County General Code to reflect refined definition of “vicious dog” in accordance with new state law

RECOMMENDATION: Introduce and waive further reading of Ordinance

FUNDING: No impact to budget

BACKGROUND: Governor Brown recently signed into law Assembly Bill 1825, which struck part of the definition of “vicious dog” found in Section 31603 of the Food and Agricultural Code (“Section 31603”). Subsection G-IV 1.4 BB. of Article 1 of Chapter IV of the Nevada County General Code (“Subsection G-IV 1.4 BB”) mirrors the former definition found in Section 31603; therefore, it must be amended.

Part (a) Section 31603, which reads “Any dog seized under Penal Code Section 599aa and upon the sustaining of a conviction of the owner/custodian under Penal Code Section 597.5(a)” is now deleted in the updated code section. Subsection G-IV 1.4 BB (1) contains that portion of the old Section 31603. Amending this section will assure Nevada County is in accordance with new state law.

As a result of the Assembly Bill 1825, dogs and puppies seized from convicted dog fighters are no longer considered per se vicious but instead are subject to individualized evaluations. The new law also reflects the recommendation of the American Bar Association, which passed a resolution in 2011 urging states and municipalities to allow for individualized evaluations for all dogs.

Initiated and Approved by: Keith Royal