



Agenda Date: 8/2/2005  
Agenda Placement: 10A

## NAPA COUNTY BOARD OF SUPERVISORS Board Agenda Letter

---

**TO:** Board of Supervisors  
**FROM:** Andrew Carey for Nancy Watt - County Executive Officer  
County Executive Office  
**REPORT BY:** Andrew Carey, Management Analyst, 253-4477  
**SUBJECT:** SB 861 - regulation of dangerous and vicious dogs

---

### **RECOMMENDATION**

Approval of and authorization for the Chair to sign a letter of support for SB 861 relating to local government regulation of dangerous and vicious dogs. (Unanimous vote of the Board members present required)

### **EXECUTIVE SUMMARY**

Existing law regulates potentially dangerous and vicious dogs and provides that a city or county may adopt or enforce its own program for the control of potentially dangerous or vicious dogs, provided that cities and counties may not regulate these dogs in a manner that is specific as to breed. SB 861, if enacted, would authorize cities and counties to pass breed-specific ordinances pertaining only to mandatory spay or neuter programs and breeding requirements. The Board of Supervisors' legislative subcommittee recommends approval of and authorization for the Chair to sign a letter of support for SB 861.

### **FISCAL IMPACT**

Is there a Fiscal Impact?                      No

### **ENVIRONMENTAL IMPACT**

ENVIRONMENTAL DETERMINATION: The proposed action is not a project as defined by 14 California Code of Regulations 15378 (State CEQA Guidelines) and therefore CEQA is not applicable.

**BACKGROUND AND DISCUSSION**

Existing law regulates potentially dangerous and vicious dogs and provides that a city or county may adopt or enforce its own program for the control of potentially dangerous or vicious dogs, provided that no program may regulate these dogs in a manner that is specific as to breed.

SB 861, if enacted, would no longer prohibit local governments from adopting a program regulating dangerous and vicious dogs that is specific as to breed, but instead would authorize cities and counties to pass breed specific legislation to address public safety and welfare concerns in their communities, under the following conditions:

1. Cities and counties may enact dog breed-specific ordinances pertaining only to mandatory spay or neuter programs and breeding requirements.
2. Jurisdictions that implement programs as described above are required to measure the effect of those programs by compiling statistical information on dog bites. The information must, at a minimum, identify dog bites by severity, the breed of the dog involved, whether the dog was altered, and whether the breed of dog was subject to a program established pursuant to the above condition. This bill would require those jurisdictions that do implement such programs to provide quarterly statistical reports relating to dog bites to the State Veterinarian.

On July 18, 2005, the Board of Supervisors' legislative subcommittee took action to recommend SB 861 to the Board of Supervisors for approval of and authorization for the Chair to sign a letter of support for SB 861.

**SUPPORTING DOCUMENTS**

A . Letter of support

CEO Recommendation: Approve

Reviewed By: Andrew Carey