

**Draft spay/neuter ordinance provisions for unincorporated Monterey County as presented to HRAS JPA Board of Directors on May 11<sup>th</sup>, 2026.**

The Health Department has worked with HRAS staff on the attached draft mandatory spay/neuter ordinance provisions for dogs and cats 6 months of age for unincorporated Monterey County and will include a revised version along with any JPA feedback and/or requested changes in the upcoming Board of Supervisor Referral update scheduled for June 9<sup>th</sup>.

***NOTE: This attached draft includes provisions that may or may not be included in a draft ordinance as requires further review from County Counsel prior to the June 9<sup>th</sup> Board of Supervisor meeting. It is included here to provide the HRAS JPA Board an opportunity to weigh is as desired.***

Some key notes on these draft provisions include:

- i. Required for dogs and domestic cats over the age of 6 months in unincorporated MC only unless have an exemption.
- ii. Creates an unaltered animal certification program.
- iii. Enforced through the "Animal Control Officer" as defined in exiting MCC code.
- iv. Does not specifically include feral or community cats. (Note: this should be addressed separately under a community cat ordinance and using experience with Salinas City Code 7-11(b)).
- v. Provides typical exemptions for law enforcement, medical, permitted holders.
- vi. The County of Santa Cruz current ordinance was used as a guiding model.

**DRAFT spay/neuter ordinance provisions**

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**Mandatory Spay/Neuter Ordinance for Dogs and Cats**

Ordinance Number: [Insert Number]

Effective Date: [Insert Date]

**Purpose:**

The Board of Supervisors finds and declares that a program for mandatory spaying/neutering of cats and dogs combined with a certification system for unaltered cats and dogs owned, harbored, or kept within the unincorporated areas of Monterey County is a reasonable and effective means of reducing the population of homeless or stray cats and dogs, reducing the need to humanely euthanize healthy cats and dogs, and providing for the health, safety, and welfare of the public.

**Section 1: Definitions**

1. "Dog" means any dog (canis familiaris) of either sex, altered or unaltered; or any other member of the canis genus if owned, kept or harbored.(Same as 8.04.010).

2. "Cat" means a domesticated household cat female as well as male, neutered or not neutered. (same as 8.04.010)
3. Feral Cat means a non-domesticated cat (*felis cactus*) female as well as male that is not housed or cared for in any way. (same as 8.04.010)
4. "Owner" means any person who is the legal harborer, possessor or the actual custodian of an animal. Ownerships also established by a person registering as the owner on a license or other legal document. (same as 8.04.010)
5. "Spayed" refers to the procedure performed by a licensed veterinarian on female animals, under anesthesia, to remove the ovaries and uterus to prevent breeding. (new)
6. "Neutered" refers to the procedure performed by a licensed veterinarian on male animals, under anesthesia, to remove testicles to prevent breeding. (new)
7. "Unaltered animal certificate" means a written authorization, issued by the Animal Control Officer, giving permission to maintain an unaltered dog or cat. Fees for the certification shall be established by Board of Supervisors.(new)
8. "Animal Control Officer" means the Monterey County Health Officer, duly appointed deputies of the Monterey County Health Officer, or any Monterey County employee designated by the Monterey County Health Officer to enforce the provisions of this Title or a designee of the Animal Control Officer. (same as 8.04.010).

## **Section 2: Mandatory Spay/Neuter Requirements**

1. No person shall own, harbor or keep within the unincorporated area of Monterey County, a dog or cat over the age of six months, which has not been spayed or neutered unless such person qualifies for an exemption or has an unaltered animal certificate.
2. Exemptions: The following animals are exempt from the provisions of this section and owners shall be required to show appropriate supportive documentation, as approved by the Animal Control Officer (same as 8.04.010):
  1. Dogs or cats documented as having been appropriately trained and currently being used by public law enforcement agencies for law enforcement activities, search and rescue or service agencies that assist disabled persons.
  2. Dogs and cats certified by a licensed veterinarian as having a health reason for not being spayed/neutered.
  3. Dogs which are appropriately trained and actually being used for herding of other animals, or as livestock guardian dogs, or dogs designated as breeding stock by an appropriate agency or organization.
  4. Dogs and cats currently included in a kennel, boarding or pet shop permit according to section 8.12.

## **Section 3: Unaltered Animal Certification**

Unaltered animal certification—Administration.

- (A) The Animal Control Officer shall administer a written certification program to allow for unaltered dogs and cats over the age of six months when the Animal Control Officer determines that the following conditions have been met:
- (1) The dog or cat is examined annually by a licensed veterinarian and is following the preventative health care program recommended by the veterinarian;
  - (2) The Animal Control Officer has not received a complaint, signed under penalty of perjury, stating that the applicant, custodian, or licensee has allowed an unaltered dog or cat to run loose or escape, or has neglected it or another animal;
  - (3) The applicant or licensee has not been cited or had an animal impounded for violating a State law or local ordinance relating to the care and control of animals;
  - (4) A court or agency of appropriate jurisdiction has not determined that the dog or cat is a nuisance, or that the animal is a potentially dangerous or vicious animal under a State law or local ordinance;
  - (5) The animal is properly housed and cared for as follows:
    - (a) The animal is provided a sufficient quantity of wholesome food and fresh water;
    - (b) The animal is provided shelter that will allow the animal to stand up, turn around, and lie down without lying in their feces and the area where the animal is kept is properly cleaned and disinfected;
    - (c) If the animal is a dog, it must be fully contained on the owner's property and be provided appropriate exercise; and
    - (d) The animal owner otherwise complies with any applicable State law concerning the care and housing of animals;
  - (7) The dog for whom the unaltered animal certification is sought is currently licensed as required by 8.08.
  - (8) Another unaltered dog license held by the applicant has not been revoked; and
  - (9) The license application does not contain a material misrepresentation of fact.
  - (10) Any owner of an unspayed or unneutered dog or cat who has been cited for failing to obtain an unaltered animal certification shall have their citation dismissed if they are subsequently issued an unaltered animal certification, or if there is proof that the animal has been spayed or neutered within 60 days of the issuance of the citation.
- (D) Any owner who is denied an unaltered animal certification or whose certification is revoked by the Animal Control Officer for failure to comply with the requirements of this section may appeal such denial or revocation as set forth in Chapter XXXX.

#### **Section 4: Use of certification revenue.**

- (A) All certification revenue collected pursuant to this chapter, unless otherwise specified, shall be applied by the Animal Shelter as follows:
- (1) To recover and/or offset the costs for the enforcement, administration, and support of this chapter; and

- (2) To advance the purposes of this chapter by providing for the spaying and neutering of animals.

**Section 5: Penalties for Non-Compliance.**

1. Except as otherwise provided, any person violating or causing or permitting the violation of this chapter shall be deemed guilty of an infraction and shall be punished by a fine in accordance with XXXX.
2. Any person who has been cited for their first violation of MCC XXXX shall not be subject to a fine but may be ordered to comply with the requirements of said section.

**Section 6: Implementation and Enforcement**

1. The Animal Control Officer shall be responsible for the implementation and enforcement of this ordinance.